

## DELEGATED

Report to Planning Committee  
4 March 2026

Report of Director of Regeneration and Inclusive Growth

### 25/1001/FUL

Kirklevington Hall, Thirsk Road, Kirklevington

Expiry Date: 22 August 2025

Extension of Time Date: 4 March 2026

### Summary

Planning permission is sought for Hybrid planning application comprising;

1) Full application for refurbishment works and extensions to the hotel and Victorian stables and development of a new covered walkway from the hotel to the Victorian stable building; event pavilion; spa; demolition of the existing staff accommodation in the walled garden to be replaced by eight self-contained lodges and potting shed offices; car parking and associated works and

2) Outline planning permission for residential development comprising self-build residential plots, woodland lodges, and associated infrastructure..

The application site is outwith the development limits and within the boundaries of a non designated asset, however the benefits of the scheme have been weighed against the harm as detailed in the report.

The development has received a number of representations which have been considered in full.

The proposal is considered to be acceptable in planning terms in all other regards and is recommended for approval subject to those conditions as detailed within the report.

### Recommendation(s)

That planning application 25/1001/FUL be approved subject to the following conditions and informatives and subject to, the applicant entering into a Section 106 Agreement in accordance with the Heads of Terms below;

#### 01 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

#### 02 Approved Plans

The development hereby approved shall be in accordance with the following approved plan(s);

##### Drawing Number

P122A-GSS-SE-XX-DR-A-(00)07 PO3

P122A-GSS-SE-XX-DR-A-(00)04 Rev P03

P122A-GSS-SE-XX-DR-A-(00)05 P03

##### Date Received

15 February 2026

11 December 2025

15 February 2026

|                                     |                  |
|-------------------------------------|------------------|
| P122A-GSS-SE-XX-DR-A-(00)08 Rev PO2 | 11 December 2025 |
| P122A-GSS-SE-XX-DR-A-(00)10 Rev PO3 | 11 December 2025 |
| P122A-GSS-SA-ZZ-DR-A-(00)07 Rev P01 | 15 May 2025      |
| P122A-GSS-SA-ZZ-DR-A-(00)08 Rev P01 | 15 May 2025      |
| P122A-GSS-SA-00-DR-A-(00)03 Rev P01 | 15 May 2025      |
| P122A-GSS-SA-01-DR-A-(00)04 Rev P01 | 15 May 2025      |
| P122A-GSS-SA-B1-DR-A-(00)02 Rev P01 | 15 May 2025      |
|                                     |                  |
| P122A-GSS-SA-ZZ-DR-A-(00)05 Rev P01 | 15 May 2025      |
| P122A-GSS-SA-ZZ-DR-A-(00)06 Rev P01 | 15 May 2025      |
| P122A-GSS-VS-00-DR-A-(00)09 Rev P01 | 15 May 2025      |
| P122A-GSS-VS-01-DR-A-(00)10 Rev P01 | 15 May 2025      |
| P122A-GSS-VS-B1-DR-A-(00)08 Rev P01 | 15 May 2025      |
| P122A-GSS-VS-RL-DR-A-(00)11 Rev P01 | 15 May 2025      |
| P122A-GSS-VS-ZZ-DR-A-(00)12 Rev P01 | 15 May 2025      |
| P122A-GSS-VS-ZZ-DR-A-(00)13 Rev P01 | 15 May 2025      |
| P122A-GSS-VS-XX-DR-A-(00)01 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-00-DR-A-(00)11 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-01-DR-A-(00)12 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-02-DR-A-(00)13 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-03-DR-A-(00)14 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-B1-DR-A-(00)10 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-ZZ-DR-A-(00)17 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-ZZ-DR-A-(00)18 Rev p01 | 15 May 2025      |
| P122A-GSS-HL-ZZ-DR-A-(00)16 Rev P01 | 15 May 2025      |
| P122A-GSS-HL-ZZ-DR-A-(00)15 Rev P01 | 15 May 2025      |
| P122A-GSS-WG-ZZ-DR-A-(00)08 Rev P01 | 15 May 2025      |
| P122A-GSS-WG-XX-DR-A-00 Rev P0111   | 15 May 2025      |
| P122A-GSS-WG-RL-DR-A-(00)06 Rev P01 | 15 May 2025      |
| P122A-GSS-WG-ZZ-DR-A-(00)07 Rev P01 | 15 May 2025      |
| P122A-GSS-WG-ZZ-DR-A-(00)09 Rev P01 | 15 May 2025      |
| P122A-GSS-WG-ZZ-DR-A-(00)10 Rev P01 | 15 May 2025      |
| P122A-GSS-EP-00-DR-A-(00)01 Rev P01 | 15 May 2025      |
| P122A-GSS-EP-ZZ-DR-A-(00)02 Rev P01 | 15 May 2025      |
|                                     |                  |
| P122A-GSS-SE-XX-DR-A-(00)06         | 15 May 2025      |
| 1648-1-1 Rev B                      | 15 December 2025 |
| 1648-1-2i Rev A                     | 15 December 2025 |
|                                     |                  |
| 1648-1-5 Rev B                      | 15 December 2025 |
| 1648-1-6 Rev B                      | 15 December 2025 |
| 1648-1-7 Rev B                      | 15 December 2025 |
| 1648-1-4 Rev A                      | 15 December 2025 |
| 1648-1-3 Rev A                      | 15 December 2025 |
| 1648-1-2ii rev A                    | 15 December 2025 |

Reason: To define the consent.

### 3 Phasing Plan

No development shall commence until a phasing plan for the application site has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise approved in writing with the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the conditions attached hereto, in so far as those conditions relate to each phase of development

#### **4 Materials**

Notwithstanding any description of the materials in the application no above ground construction shall be commenced until precise details to be used in the construction of the external walls and roofs of the new façade and extension to the building(s) have been approved in writing by the Local Planning Authority. The development shall proceed in accordance with those agreed details.

Reason: To enable the Local Planning Authority to control details of the proposed development

#### **5 Existing and Proposed Site levels;**

Notwithstanding the information submitted as part of the application, for each phase of newly built development, details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. Work shall be undertaken in accordance with the approved scheme.

Reason: To define the consent and to ensure that the development does not adversely impact on the visual amenities of the area

#### **6 Substation and Bin Store**

Prior to erection full details of the proposed substation and bin store and the means of enclosure / screening shall be submitted and approved in writing by the local planning Authority. Work shall be undertaken in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the adjacent residents from noise and disturbance.

#### **7 Discharge of Surface Water**

The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, the scheme shall include but not be restricted to providing the following details;

- I. Detailed design of the surface water management system; (for each phase of the development).
- II. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- IV. Details of adoption responsibilities

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework.

## **8 Flood Risk Assessment**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy Rev B dated 06th November 2025.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

## **9 Discharge of Surface Water**

The building hereby approved shall not be brought into use until:-

- I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building
- II. The drawings of all SuDS features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity
- III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development

Reason: To reduce flood risk and ensure satisfactory long-term maintenance are in place for the lifetime of the development.

## **10 Existing Drainage Infrastructure**

No development shall commence until a full investigation of any existing drainage infrastructure associated with properties on Kirklevington Hall Drive has been carried out and submitted as part of the site-specific Flood Risk Assessment.

In the event that any previously unrecorded drainage infrastructure is identified, an accurate record of the infrastructure together with a scheme for its protection, repair, and/or maintenance through the development site shall be submitted to and approved in writing by the Local Planning Authority.

Development shall not proceed in any part of the site affected by such infrastructure until written approval has been granted. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework

## **11 Foul and Surface Water**

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

## **12 Soft Landscaping**

Prior to bring the hotel and facilities into use, full details of Soft Landscaping shall be submitted to and approved in writing by the Local Planning Authority in broad accordance with the approved landscaping plans. This will be a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. All works shall be in accordance with the approved plans. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan. The scheme shall be completed in the first planting season following:

- (i) Commencement of the development;
- (ii) or agreed phases;
- (iii) or prior to the occupation of any part of the development;

and the development shall not be brought into use until the scheme has been completed to the satisfaction of the Local Planning Authority.

Any vegetation within a period of 5 years from the date of from the date of completion of the total works that is dying, damaged, diseased or in the opinion of the Local planning Authority is failing to thrive shall be replaced by the same species of a size at least equal to that of the adjacent successful planting in the next planting season.

Reason: To ensure a high quality planting scheme is provided in the interests of visual amenity which contributes positively to local character and enhances bio diversity.

## **13 Written Scheme of Investigation**

No development (including demolition, ground works, vegetation clearance, etc...) shall commence until a Written Scheme of Investigation (WSI) setting out a programme of archaeological evaluation has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works, in sufficient time to inform the production of a Strategy for Archaeological Mitigation. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
7. The timetable for completion of all site investigation and post-investigation works

Reason: To take account of archaeological deposits in accordance with the requirements of Stockton on Tees Local Plan Policy HE2.

## **14 Strategy for Archaeological Mitigation**

No development (including demolition, ground works, vegetation clearance, etc...) shall commence until a Strategy for Archaeological Mitigation (SAM) and associated detailed phasing plan has been submitted to and approved in writing by the Local Planning Authority.

The SAM will set out the strategy for the preservation, investigation and recording of heritage assets in the development area, including the provision made for analysis, publication and dissemination of results, and archive deposition. A timetable for the completion of all site investigation and post-investigation works shall be included within the SAM. The development will then be carried out in accordance with the SAM.

No individual phase of the development (in accordance with the phasing plan as submitted) shall be brought into use until the Local Planning Authority has confirmed in writing that the associated requirements of the approved Strategy for Archaeological Mitigation, including post investigation processes which are relevant to that phase have been fulfilled, or alternative timescales agreed.

Reason: To take account of archaeological deposits in accordance with the requirements of Stockton on Tees Local Plan Policy HE2.

## **15 Bunker**

The anti-aircraft operations bunker shall be retained on site unless otherwise agreed in writing with the local planning authority.

Reason: The bunker forms an important part of the site's history and it is considered a non-designated heritage asset to the Borough and its loss would be contrary to Policy HE2 of the location plan and NPPF paragraph 202 and 216

## **16 Contaminated Land Risk Assessment**

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site, have been submitted and approved in writing, by the local planning authority:

- a) A site investigation scheme, based on the Desk Top Study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- b) The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" Guidance (2023). Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure new and existing development do not contribute or be put at unacceptable risk from or being adversely affected by unacceptable levels of water and land pollution.

## **17 Marquee**

No music will be played within the hereby approved marquee within the walled garden, unless details of non-amplified and amplified music, amplification equipment and sound suppression measures (as appropriate) are first submitted to and approved in writing by the local planning authority. The submission of these details shall be via a noise impact assessment whereby the LFMax sound from amplified and non-amplified music and speech shall not exceed the typical

minimum L90(5min), 1meter from the façade of any sensitive receptor in all third octave bands between 31.5Hz and 8kHz. Any details submitted pursuant to this condition will seek approval of appropriate management regimes, including hours of operation. Should mitigation measures be required these shall be installed upon agreement with the Local Planning Authority and then retained for the lifetime of the proposal.

Reason: In the interests of the amenity of the surrounding residents

### **18 Noise from Plant and Machinery (including hot tubs)**

Prior to installation of any plant and machinery, including the proposed substation, a full noise impact assessment of the plant (individually and cumulatively, including noise from hot tubs and mechanical plant) should be undertaken and approved in writing prior to becoming operational whereby the rating level of the plant shall not exceed the background noise levels noted in table 4 overnight (23:00hrs- 07:00hrs) or those in table 4, +5dB for the day time (07:00- 23:00hrs).

These levels should be achieved at the façade of existing residential properties and proposed residential properties as part of this development whereby all measurements and assessments shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Details of mitigation measures shall be submitted and once approved shall be retained for the lifetime of the proposal.

Reason: In the interests of the amenity of the surrounding residents

### **19 Holiday lets**

The use of the walled garden for holiday lodges, as approved, must comply with the following requirements:

- i) the lodges accommodation shall be occupied for holiday purposes only and shall not be occupied as a person's permanent, sole or main place of residence;
- ii) ii) No let may exceed 31 days per calendar year;
- iii) iii) the owners/operators shall maintain an up to- date register of the names of all owners/occupiers of the accommodation, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

Reason: The site is not suitable for permanent residential occupation

### **20 Site Management Plan**

Prior to the bringing into use the holiday lets, a Site Management Plan shall be submitted to, and approved in writing by, the local planning authority. Thereafter, the approved development shall be carried out and operated in complete accordance with the agreed details. The Site Management Plan shall include, and provide details of:

- A quiet or curfew period and the management provisions to ensure compliance with the quiet or curfew period, which shall commence at 10pm (22:00 hours) each evening;
- Noise from the site is to be managed / controlled by staff at all times. A telephone number of the management should be made available should residents need to make a complaint.
- Any noise from the premises shall not cause a disturbance at the nearest residential premises.
- There shall be no music heard beyond the boundary of the site.
- The Site Management Plan shall set out provisions for periodic assessments of the noise coming from the site and shall take steps to reduce the level of noise where it is likely to

cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.

- There shall be no external music system installed.

Reason: In the interests of the amenity of the surrounding residents

## **21 Ecology and Biodiversity**

Works shall be undertaken in accordance with the recommendations as detailed in Section 6 (Conclusions and Recommendations) of the Preliminary Ecological dated November 2025.

Any works on site that require clearing areas of scrub and vegetation in advance of any proposed development should be completed during the period September to February to avoid any disturbance to breeding birds between 1st March and 31st August. Where clearance does take place during the bird breeding season, a pre-clearance check of the area should be carried out by a suitability qualified ecologist.

Prior to works commencing on any buildings a checking survey for Bats should be undertaken to ensure that there are no protected species on site. Work should not proceed until this survey is completed and there is no presence of bats

Reason: To conserve protected species and their habitat where necessary

## **22 Ecology Survey**

If work does not commence on each phase within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on each phase/ plot a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required

Reason: To conserve protected species and their habitat where necessary

## **23 Habitat and wildlife**

As detailed in BS 3998:2010, prior to work commencing, the trees and their surroundings should be assessed for the presence of protected species, some of which are subject to season-specific legislation. Any works should be planned so as to limit their potential adverse impact on wildlife generally. The timing of works should take account of the seasonal cycles of the species of fauna and flora concerned (including the nesting habits of birds and the egg-laying habits of insects).

Reason: In compliance with the Habitat Regulations and Countryside and Wildlife Act.

## **24 Biodiversity Net Gain**

Prior to the commencement of work an Overall Biodiversity Gain Plan must be submitted to and approved by the planning authority before the development can begin; and thereafter a Phase Biodiversity Gain Plan for each phase must be submitted to and approved by the planning authority before the development of that phase can begin.

Reason: In the interests of ensuring measurable net gains to biodiversity and to allow the Local Planning Authority to discharge its duties in accordance with Policies SD5, SD8 and ENV5 of the Stockton-on-Tees Local Plan and Schedule 7A of the Town and County

Planning Act 1990 (as amended) as modified by The 'Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

## **25 Habitat Management and Monitoring Plan**

Prior to the commencement of works on each phase a Habitat Management and Monitoring Plan (HMMP) has been prepared in accordance with the approved Biodiversity Gain Plan and has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

- (a) a non-technical summary;
  - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the practical completion of the development or the first occupation of the development, whichever is the sooner
- Monitoring reports will be submitted to the Council during years 2,5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason: To ensure the proposed habitat creation and/or enhancements are suitably managed and monitored to ensure development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

## **26 Construction Traffic Management Plan**

Within each phase, no development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- i. the site construction access(es)
- ii. the parking of vehicles of site operatives and visitors;
- iii. loading and unloading of plant and materials including any restrictions on delivery times;
- iv. storage of plant and materials used in constructing the development;
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- vi. measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;
- vii. measures to control and monitor the emission of dust and dirt during construction;
- viii. a Site Waste Management Plan;
- ix. details of the HGVs routing including any measures necessary to minimise the impact on other road users;
- x. measures to protect existing footpaths and verges; and;
- xi. a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and residential amenity

### **27 Construction Environmental Management Plan**

No part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority for each phase. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to noise and vibration, dust and air pollutants (in broad accordance with the Air Quality Assessment), land contamination and ecology. The CEMP shall include measures to effectively control dust emissions from the site works, in accordance with an impact assessment undertaken in accordance with the IAQM guidance, this shall address earth moving activities, control and treatment of stockpiles.

It shall also set out arrangements by which the developer shall maintain communication with businesses and residential premises in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: In the interests of protecting the environment.

### **28 Tree Retention**

Notwithstanding the submitted information, unless shown for removal on the approved landscaping plans, all trees and hedges within and to the boundaries of the application site shall be retained and maintained for the lifetime of the development. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with any approved plans submitted as part of a reserved matters application.

Any tree, shrub or hedge or any tree, shrub or hedge that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

### **29 Energy Efficiency**

Prior to the erection of the SPA, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority for each phase of development. The statement shall identify the predicted energy consumption, the associated CO<sub>2</sub> emissions and how the energy hierarchy has been applied to the development, including an investigation into the feasibility and viability of connection to decentralised energy networks for heat and power and the achievement of a "Very Good" BREEAM rating for the scheme. The statement shall set out the feasibility and viability of achieving a minimum 10% reduction in CO<sub>2</sub> emissions from the development, over and above current Building Regulations Part L requirements, or a minimum of 10% of the total predicted energy requirements of the development will be generated from renewable energy sources. Development shall be carried out thereafter in a manner that incorporates any feasible and viable measures identified.

Reason: Reason: In the interests of promoting sustainable development in accordance with the requirements of Local Plan Policy ENV1

### **30 Electric Vehicle Charging**

Prior to the construction of the car parks, a scheme for the provision of electrical charging points for the charging of electrical motor vehicles, shall be submitted and approved in writing by the local planning authority. The charging points shall be in place prior to the occupation of the building in each phase.

Reason:-to ensure a satisfactory form of development

### **31 Construction working Hours**

No construction/building works or deliveries associated with the construction phase of the development shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.

### **32 Unexpected land Contamination**

In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority in advance. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing in advance.

Reason: To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risk to receptors.

## **CONDITIONS FOR THE OUTLINE APPLICATION**

### **01 Reserved Matters - Time Period for submission**

Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

### **02 Period for Commencement**

The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the latest.

Reason: By virtue of the provisions of Section 92 of the Town and Country Planning Act 1990.

### **03 Reserved Matters – Details**

Notwithstanding the submitted plans, approval of the details of the Appearance, Landscaping, Layout and Scale of the development known as the 'Reserved Matters' shall be obtained in writing from the Local Planning Authority before the development is commenced. The development shall be carried out in accordance with the approved plans

Reason: To reserve the rights of the Local Planning Authority with regard to these matters

#### **04 Approved Plans**

The development hereby approved shall be in accordance with the following approved plan(s);

| <b>Plan Number</b>              | <b>Date Received</b> |
|---------------------------------|----------------------|
| P122A-GSS-SE-XX-DR-A-(00)07`PO3 | 15 February 2026     |

#### **05 Phasing Plan**

No development shall commence until a phasing plan for the application site has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise approved in writing with the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the conditions attached hereto, in so far as those conditions relate to each phase of development

#### **06 Design Code**

The reserved matters applications for the self-build housing shall be in be informed by and be in broad accordance with the Executive Housing – Design Code Document Issued on the 11 December 2025.

Reason: In the interests of the visual amenities of the area

#### **07 Woodland Lodges**

Woodland lodges sited in areas where there are tree clearings. Should trees be removed, the reserved matter application shall be accompanied by an Arboricultural Assessment and Tree Protection Plan. Work shall be undertaken in accordance with the approved details.

Reason; To ensure there is no adverse impact on the Woodland and the lodges are sited in areas of less Arboricultural/ecological value.

#### **08 Woodland Lodges**

Prior to the occupation of the Woodland Lodges, a suitable trespass proof fence adjacent to Network Rail's boundary (approx. 1.8m high) shall be provided and the developer shall make provision for its future renewal and maintenance. Network Rail's existing fencing/wall must not be removed or damaged.

Reason: In the interests of the safety and integrity of the railway.

#### **09 Existing and Proposed Site levels;**

Notwithstanding the information submitted as part of the application, for each phase of newly built development, details of the existing and proposed site levels and finished floor levels shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. Work shall be undertaken in accordance with the approved scheme.

Reason: To define the consent and to ensure that the development does not adversely impact on the visual amenities of the area

#### **10 Discharge of Surface Water**

The development hereby approved shall not be commenced on site, until a scheme for 'the implementation, maintenance and management of a Sustainable Surface Water Drainage Scheme has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details, the scheme shall include but not be restricted to providing the following details;

- I. Detailed design of the surface water management system; (for each phase of the development).
- II. A build programme and timetable for the provision of the critical surface water drainage infrastructure;
- III. A management plan detailing how surface water runoff from the site will be managed during the construction phase;
- IV. Details of adoption responsibilities

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework.

## **11 Flood Risk Assessment**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) & Drainage Strategy Rev B dated 06th November 2025.

The mitigation measures shall be fully implemented prior to the occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

## **12 Discharge of Surface Water**

The building hereby approved shall not be brought into use until:-

- I. Requisite elements of the approved surface water management scheme for the development, or any phase of the development are in place and fully operational to serve said building
- II. The drawings of all SuDS features have been submitted and approved in writing by the Local Planning Authority, the drawings should highlight all site levels, including the 30year and 100year+cc flood levels and confirmation of storage capacity
- III. A Management and maintenance plan of the approved Surface Water Drainage scheme has been submitted and approved in writing by the Local Planning Authority, this should include the funding arrangements and cover the lifetime of the development

Reason: To reduce flood risk and ensure satisfactory long-term maintenance are in place for the lifetime of the development.

## **13 Existing Drainage Infrastructure**

No development shall commence until a full investigation of any existing drainage infrastructure associated with properties on Kirklevington Hall Drive has been carried out and submitted as part of the site-specific Flood Risk Assessment.

In the event that any previously unrecorded drainage infrastructure is identified, an accurate record of the infrastructure together with a scheme for its protection, repair, and/or maintenance through the development site shall be submitted to and approved in writing by the Local Planning Authority.

Development shall not proceed in any part of the site affected by such infrastructure until written approval has been granted. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area, in accordance with the Local Plan Policies SD5 & ENV4 and the National Planning Policy Framework

#### **14 Foul and Surface Water**

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

#### **15 Written Scheme of Investigation**

No development (including demolition, ground works, vegetation clearance, etc...) shall commence until a Written Scheme of Investigation (WSI) setting out a programme of archaeological evaluation has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works, in sufficient time to inform the production of a Strategy for Archaeological Mitigation. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
7. The timetable for completion of all site investigation and post-investigation works

Reason: To take account of archaeological deposits in accordance with the requirements of Stockton on Tees Local Plan Policy HE2.

#### **16 Strategy for Archaeological Mitigation**

No development (including demolition, ground works, vegetation clearance, etc...) shall commence until a Strategy for Archaeological Mitigation (SAM) and associated detailed phasing plan has been submitted to and approved in writing by the Local Planning Authority. The SAM will set out the strategy for the preservation, investigation and recording of heritage assets in the development area, including the provision made for analysis, publication and dissemination of results, and archive deposition. A timetable for the completion of all site investigation and post-investigation works shall be included within the SAM. The development will then be carried out in accordance with the SAM.

No individual phase of the development (in accordance with the phasing plan as submitted) shall be brought into use until the Local Planning Authority has confirmed in writing that the associated requirements of the approved Strategy for Archaeological Mitigation, including

post investigation processes which are relevant to that phase have been fulfilled, or alternative timescales agreed.

Reason: To take account of archaeological deposits in accordance with the requirements of Stockton on Tees Local Plan Policy HE2.

### **17 Bunker**

The anti-aircraft operations bunker shall be retained on site unless otherwise agreed in writing with the local planning authority.

Reason: The bunker forms an important part of the site's history and it is considered a non-designated heritage asset to the Borough and its loss would be contrary to Policy HE2 of the location plan and NPPF paragraph 202 and 216

### **18 Contaminated Land Risk Assessment**

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site, have been submitted and approved in writing, by the local planning authority:

- a) A site investigation scheme, based on the Desk Top Study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- b) The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

This must be undertaken in accordance with the Environment Agencies "Land Contamination Risk Management" Guidance (2023). Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure new and existing development do not contribute or be put at unacceptable risk from or being adversely affected by unacceptable levels of water and land pollution.

### **19 Noise from Plant and Machinery (including hot tubs)**

Prior to installation of any plant and machinery, a full noise impact assessment of the plant (individually and cumulatively, including noise from hot tubs and mechanical plant) should be undertaken and approved in writing prior to becoming operational whereby the rating level of the plant shall not exceed the background noise levels noted in table 4 overnight (23:00hrs-07:00hrs) or those in table 4, +5dB for the day time (07:00- 23:00hrs).

These levels should be achieved at the façade of existing residential properties and proposed residential properties as part of this development whereby all measurements and assessments shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Details of mitigation measures shall be submitted and once approved shall be retained for the lifetime of the proposal.

Reason: In the interests of the amenity of the surrounding residents

## 20 Acoustic, Ventilation, Overheating Design – Residential Plots

If BS8233 internal noise levels cannot be achieved with openable windows then the developer needs to consider implementing good acoustic design as required within ProPG, <https://www.ioa.org.uk/publications/propg> such as the following:

- Increase distance away from the noise source
- Layout/ orientation of properties and amenity areas
- Internal layout of properties so liveable rooms and main bedrooms are situated furthest away from the noise source.
- Acoustic Fencing/ mounding

Where the above have been considered and there is still a requirement for windows to be closed to achieve BS8233 internal noise levels an Acoustic, Ventilation and Overheating assessment should be undertaken. The assessments and any required acoustic mitigation measures should be interlinked. An internal assessment should also be made of any noise emitted from mechanical ventilation plant (if required) which when in use should not exceed internal noise levels specified within BS8233, or the following:

- Living Rooms (Day and Night-time) – NR30
- Bedroom (Daytime)- NR30
- Bedrooms (Night-time)- NR25

Reason: In the interests of good design and to ensure the amenity of future residents.

## 21 Woodland Lodges

The use of the woodland lodges, as approved, must comply with the following requirements:

- I. the lodges accommodation shall be occupied for holiday purposes only and shall not be occupied as a person's permanent, sole or main place of residence;
- II. No let may exceed 31 days per calendar year;
- III. the owners/operators shall maintain an up to- date register of the names of all owners/occupiers of the accommodation, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

Reason: The site is not suitable for permanent residential occupation

## 21 Site Management Plan

Prior to the bringing into use the woodland lodges, a Site Management Plan shall be submitted to, and approved in writing by, the local planning authority. Thereafter, the approved development shall be carried out and operated in complete accordance with the agreed details. The Site Management Plan shall include, and provide details of:

- A quiet or curfew period and the management provisions to ensure compliance with the quiet or curfew period, which shall commence at 10pm (22:00 hours) each evening;
- Noise from the site is to be managed / controlled by staff at all times. A telephone number of the management should be made available should residents need to make a complaint.
- Any noise from the premises shall not cause a disturbance at the nearest residential premises.
- There shall be no music heard beyond the boundary of the site.
- The Site Management Plan shall set out provisions for periodic assessments of the noise coming from the site and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.

- There shall be no external music system installed.

Reason: In the interests of the amenity of the surrounding residents

## **22 Ecology and Biodiversity**

Works shall be undertaken in accordance with the recommendations as detailed in Section 6 (Conclusions and Recommendations) of the Preliminary Ecological dated November 2025.

Any works on site that require clearing areas of scrub and vegetation in advance of any proposed development should be completed during the period September to February to avoid any disturbance to breeding birds between 1st March and 31st August. Where clearance does take place during the bird breeding season, a pre-clearance check of the area should be carried out by a suitability qualified ecologist.

Details of external lighting for the the woodland lodges and pathways shall be submitted to and agreed in writing by the Local Planning Authority before development is commenced and the lighting shall be implemented wholly in accordance with the agreed scheme prior to occupation. The lighting shall be installed and arranged to ensure the impact on the wildlife and habitat is minimised.

Reason: To conserve protected species and their habitat where necessary

## **23 Ecology Survey**

If work does not commence on each phase / plot within 2 years from the date of the submitted ecology survey, a maximum of three months before works commencing on each phase/ plot a suitably qualified ecologist shall undertake a checking survey to ensure that no protected species or their habitat are present on site. The results of the survey shall be submitted and approved in writing by the local planning authority and identify any additional or revised mitigation measures required

Reason: To conserve protected species and their habitat where necessary

## **24 Habitat and wildlife**

As detailed in BS 3998:2010, prior to work commencing, the trees and their surroundings should be assessed for the presence of protected species , some of which are subject to season-specific legislation. Any works should be planned so as to limit their potential adverse impact on wildlife generally. The timing of works should take account of the seasonal cycles of the species of fauna and flora concerned (including the nesting habits of birds and the egg-laying habits of insects).

Reason: In compliance with the Habitat Regulations and Countryside and Wildlife Act.

## **25 Biodiversity Net Gain**

Prior to the commencement of work an Overall Biodiversity Gain Plan must be submitted to and approved by the planning authority before the development can begin; and thereafter a Phase Biodiversity Gain Plan for each phase must be submitted to and approved by the planning authority before the development of that phase can begin.

Reason: In the interests of ensuring measurable net gains to biodiversity and to allow the Local Planning Authority to discharge its duties in accordance with Policies SD5, SD8 and ENV5 of the Stockton-on-Tees Local Plan and Schedule 7A of the Town and County Planning Act 1990 (as amended) as modified by The 'Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

## **26 Habitat Management and Monitoring Plan**

Prior to the commencement of works on each phase a Habitat Management and Monitoring Plan (HMMP) has been prepared in accordance with the approved Biodiversity Gain Plan and has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:

- (a) a non-technical summary;
  - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the practical completion of the development or the first occupation of the development, whichever is the sooner
- Monitoring reports will be submitted to the Council during years 2,5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason: To ensure the proposed habitat creation and/or enhancements are suitably managed and monitored to ensure development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

## **27 Construction Traffic Management Plan**

Within each phase/plot development, no development shall take place, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The Construction Management Plan shall provide details of:

- xii. the site construction access(es)
- xiii. the parking of vehicles of site operatives and visitors;
- xiv. loading and unloading of plant and materials including any restrictions on delivery times;
- xv. storage of plant and materials used in constructing the development;
- xvi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing,
- xvii. measures to be taken, including but not limited to wheel washing facilities and the use of mechanical road sweepers operating at regular intervals or as and when necessary, to avoid the deposit of mud, grit and dirt on the public highway by vehicles travelling to and from the site;
- xviii. measures to control and monitor the emission of dust and dirt during construction;
- xix. a Site Waste Management Plan;
- xx. details of the HGVs routing including any measures necessary to minimise the impact on other road users;
- xxi. measures to protect existing footpaths and verges; and;
- xxii. a means of communication with local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and residential amenity

## **28 Construction Environmental Management Plan**

Within each phase/plot development, no part of the development hereby approved shall commence until a Construction Environmental Management Plan (CEMP) has been

submitted to and approved in writing by the Local Planning Authority for each phase. The CEMP shall set out, as a minimum, site specific measures to control and monitor impact arising in relation to noise and vibration, dust and air pollutants (in broad accordance with the Air Quality Assessment), land contamination and ecology. The CEMP shall include measures to effectively control dust emissions from the site works, in accordance with an impact assessment undertaken in accordance with the IAQM guidance, this shall address earth moving activities, control and treatment of stockpiles.

It shall also set out arrangements by which the developer shall maintain communication with businesses and residential premises in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: In the interests of protecting the environment.

### **29 Tree Retention**

Notwithstanding the submitted information, unless shown for removal on the approved landscaping plans, all trees and hedges within and to the boundaries of the application site shall be retained and maintained for the lifetime of the development. No tree, shrub or hedge shall be cut down, uprooted or destroyed, topped or lopped other than in accordance with any approved plans submitted as part of a reserved matters application.

Any tree, shrub or hedge or any tree, shrub or hedge that dies or is removed, uprooted or destroyed or becomes seriously damaged or defective must be replaced by another of the same size and species unless directed in writing by the Local Planning Authority.

Reason: To protect the existing trees/shrubs and hedges on site that the Local Planning Authority consider to be an important visual amenity in the locality and should be appropriately maintained.

### **30 Energy Efficiency**

Prior to the commencement of development each phase/plot, an energy statement identifying how the predicted CO<sub>2</sub> emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies shall be submitted and approved in writing by the local planning authority. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed and the local planning authority shall be satisfied that their day-to-day operation will provide energy for the development for so long as the development remains in existence.

Reason: Reason: In the interests of promoting sustainable development in accordance with the requirements of Local Plan Policy ENV1

### **31 Construction working Hours**

No construction/building works or deliveries associated with the construction phase of the development shall be carried out except between the hours of 8.00am and 6.00pm on Mondays to Fridays and between 9.00am and 1.00pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

Reason: To avoid excessive noise and disturbance to the occupants of nearby properties.

### **32 Unexpected land Contamination**

In the event that unexpected contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, in accordance with best practice guidance, the details of which are to be agreed in writing with the Local Planning Authority in advance. Where remediation is shown to be necessary a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing in advance.

Reason: To ensure that risks from land contamination to the future uses of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out without unacceptable risk to receptors.

### **33 Permitted Development Rights – No extensions / alterations or outbuildings**

Notwithstanding the provisions of classes A, AA, B, C, D and E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), the buildings hereby approved shall not be extended or altered in any way, nor any ancillary buildings erected within the curtilage without the written approval of the Local Planning Authority

Reason: In order that the local planning authority may exercise further control in order to protect the character and appearance of the area and the amenity of adjoining residents and landscaping features.

### **34 Permitted Development Rights - means of enclosure**

Notwithstanding the provisions of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), unless in accordance with the approved design guide, no gates, fences, walls or other means of enclosure shall be erected between the front, side or rear walls of any dwelling without the written approval of the Local Planning Authority.

Reason: In order that the local planning authority may exercise further control in order to protect character and appearance of the area and the amenity of adjoining residents.

## **Informatives**

### **Informative: Working Practices**

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

### **Informative: Reserved matters**

When submitting the application(s) for reserved matters; the reserved matters should include the following details

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"appearance" means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

#### **Informative: Bunker**

Consideration should be given to the repair, retention and reuse of this important local heritage asset which could be reused in imaginative ways to the benefit of the new development (NPPF para 203). Adequate justification would be required for the total loss of this non-designated heritage asset

#### **Informative: NWL**

We can inform you that a sewerage rising main and water main cross the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. This is an informative only and does not materially affect the consideration of the planning application.

There is a 32mm PE pipe connection shown on the NWL mapping heading northeast across the field north of Kirklevington Hall Drive. This pipe is believed to be the water supply which serves The Lodge at the northern end of Kirklevington Hall Drive and must be retained or diverted without disruption to the resident.

The applicant should develop their foul water drainage solution by working through the Hierarchy of

Preference contained within Revised Part H of the Building Regulations 2010. Namely Soakaway; Watercourse, and finally Sewer

The developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre planning enquiry directly to us. Full details and guidance can be found at

<https://www.nwl.co.uk/developers/predevelopmentenquiries.aspx> or email

DevelopmentEnquiries@nwl.co.uk. The applicant should then submit a drainage strategy reflecting our recommendations for consideration as part of the planning application.

#### **Informatives: Environment Agency**

Prior to works commencing, the applicant will be required to obtain a Flood Risk Activity Permit for works within 8m of the main river and the proposed replacement bridge. The relevant informative is provided below. Free permit pre-app advice is available to the applicant upon request from: [ne\\_epr\\_permit@environment-agency.gov.uk](mailto:ne_epr_permit@environment-agency.gov.uk)

Environmental permit - advice to applicant The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

Signing up for flood warnings The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit Sign up for flood warnings - GOV.UK. It is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit Prepare for flooding: Protect yourself from future flooding - GOV.UK.

To get help during a flood, visit What to do before or during a flood - GOV.UK. For advice on what do after a flood, visit What to do after a flood - GOV.UK.

### **Informative for Archaeology Conditions**

Written Scheme of Investigation: This would cover all trial trenching required across the site (spa and parking area, self-builds, woodland lodges). The earthwork survey for the ridge and furrow should also be carried out at this stage, otherwise the trenching in the self-build area will damage the ridge and furrow before it is fully recorded.

Strategy for Archaeological Mitigation: This would cover the historic building recording (all buildings across site), the earthwork survey of the 'U' shaped structure if necessary, and any other mitigation works needed as a result of the findings from the trial trenching.

Fulfilling the requirements of the SAM: This would ensure that all post-investigative work is carried out and made publicly accessible, in line with NPPF paragraph 218

## **HEADS OF TERMS**

The Applicant shall enter into a Section 106 Agreement to secure

- (A) Phasing of works and delivery of the housing
- (B) Affordable Housing off site contribution
- (C) School Contributions based on the standard formula (to be paid by each plot owner)
- (D) Custom and Self Build Housing
- (E) Nutrient Neutrality

## **Background**

1. The hotel has been acquired by JCM Agriculture & Leisure Ltd and Kymel will be the developers and operators of the new visitor accommodation business proposed at the application site.

2. The supporting information states that Kymel is led by a group of experienced, hospitality professionals with decades of collective experience in the hotel and hospitality industry. Kymel already owns and operates a portfolio of successful, award-winning, food-led hotels and restaurants in the North East and Yorkshire. This includes:
  - The Lord Crewe Arms boutique hotel, Bamburgh;
  - The Middle Inn, Bamburgh;
  - The Park Hotel, Redcar;
  - Spanish City, Whitley Bay;
  - Trenchers restaurant, Whitby; and
  - Tide by Trenchers, Whitby.
3. Based on Kymel's knowledge and experience of the hospitality industry, they are confident that the Judges Hotel can re-establish itself as a strong commercial proposition and an asset to the local visitor economy.

### Relevant Planning Background

4. Whilst there have been a number of applications for works to the Hotel there are also relevant applications for housing within the grounds of the Hall. These applications are detailed below;

#### Land north of no.1 Kirklevington Hall Drive, Kirklevington, Yarm TS15 9LH

(Appeal Ref: APP/H0738/W/23/3331328 Planning Ref 21/0532/OUT)

Erection of two detached houses was refused with the Inspector concluding "*the appeal site is in countryside outwith the development limits set out in the Local Plan and the proposal would not meet the identified policy exceptions. Rather the proposed development would harm the rural character and intrinsic value of the countryside, undermine the housing strategy and hinder delivery of that strategy, placing it in conflict with the development plan. The delivery of custom and self-build housing would not in itself justify residential development in this location. This outweighs the positive aspects of the proposal*".

#### Land at Kirklevington Hall Drive, Yarm

(Appeal Ref: APP/H0738/W/19/3233081 Ref 18/0351/FUL)

Erection of three detached dwellings refused with the Inspector concluding "*The proposals would not affect the living conditions of neighbouring occupiers and would provide a good standard of internal and external living space with sufficient car parking. It would provide three dwellings which would contribute to the housing offer within the area. I have also found that there is no conflict with highway safety policy. However, the appeal site is in the open countryside outwith the development limits set out in the Local Plan. The proposals' visual impact would harm the open parkland character, and this outweighs the positive aspects of the proposal. I therefore conclude that the proposal conflicts with the development plan when taken as a whole*".

### Site and Surroundings

5. The application site is the former Judges Hotel, also known as Kirklevington Hall, is located to the east of the A67, south of Yarm and north of Kirklevington. The Hall closed in March 2023.

6. With regard to the history of the site, Kirklevington Hall was originally built as a family home by Thomas Richardson in 1884. Following the death of his son in 1940, the property was acquired by the Army as a regional headquarters during World War II and The Cold War.
7. The landscape around the former Hotel is a mixture of formal gardens and woodland walks. There are significant areas of woodland with mature trees that provide both amenity and ecological value with individual (00.8.5.528) Tree Preservation Orders on the site to protect these trees..

## Proposal

8. This Hybrid Application seeks Planning permission for;

*Full application for refurbishment works and extensions to the hotel and Victorian stables and development of a new covered walkway from the hotel to the Victorian stable building; event pavilion; spa; demolition of the existing staff accommodation in the walled garden to be replaced by eight self-contained lodges and potting shed offices; car parking and associated works and;*

*Outline planning permission for residential development comprising self-build residential plots, woodland lodges, and associated infrastructure.*

9. The works will be delivered in Phases, with Phase 1 reliant on a significant proportion of funding from the sale of the housing plots.
10. Phase 1 will include the redevelopment and refurbishment of the hotel, as well as the delivery of the upgraded wedding venue and walled garden lodges. The housing which is in outline as these will be self build properties, subject to a design code and will provide the funding for the following;
  - The renovation of the existing hotel, including a new restaurant extension
  - The existing converted stables and adjacent courtyard to be reconfigured to create a self-contained event space;
  - The existing walled garden and former staff quarters to be repurposed for an event space and 8no. Walled Garden Lodges with private outdoor terraces;
  - New build potting shed offices to support the operational needs of the development;
  - Purpose-built events pavilion which accommodates weddings, corporate functions and private gatherings;
  - Enhancements to the site entrance, including the installation of new site entrance piers and associated landscaping;
  - Additional new car parking and associated landscaping
11. Phase 2 would comprise of the woodland lodges and spa.
  - The Spa is a detailed application and has a ground floor and lower ground floor which is embedded into the landscape
  - The lodges are in outline and therefore the full details are not included but an indicative plan has been provided and show positioning and layout which include hot tubs

### Economic Benefits from the Hotel and associated works.

12. The Applicant has submitted an Economic Footprint Report which covers Phase 1 works and also then if the whole development as envisioned is implemented. The headline results are detailed below;

### **Phase 1 – (Hotel, Walled Garden and Victorian Stables)**

#### Construction Impacts

- £14.5 million capital investment (total construction cost);
- 110 direct FTE construction jobs during the 18-month build period;
- A further 135 indirect FTE supply chain jobs support throughout the build period; and
- £21.9 million of GVA (economic output) in each year of the build period.

#### Operational Impacts

- 95 permanent direct FTE operational jobs created;
- A further 55 indirect and induced jobs supported across the Tees Valley; and
- Uplift in GVA (economic output) of £3.6 million of GVA per annum.

#### Tourism Impacts

- 15,185 additional visitor nights per annum;
- £985,000 additional visitor expenditure from overnight visitors; and
- The above spend could create demand in the wider economy for 9.2 FTE jobs across a range of sectors.

### **Phase 2 – (Spa and Woodland Lodges)**

#### Construction Impacts

- £18.2 million capital investment (total construction cost);
- 140 direct FTE construction jobs during the 18-month build period;
- A further 170 indirect FTE supply chain jobs support throughout the build period; and
- £27.5 million of GVA (economic output) in each year of the build period.

#### Operational Impacts

- 70 permanent direct FTE operational jobs created;
- A further 40 indirect and induced jobs supported across the Tees Valley; and
- Uplift in GVA (economic output) of £2.6 million of GVA per annum.

#### Tourism Impacts

- 17,520 additional visitor nights per annum;
- £1.1 million additional visitor expenditure from overnight visitors; and
- The above spend could create demand in the wider economy for 10.6 FTE jobs across a range of sectors.

### **Consultations**

13. Consultees were notified and the following comments were received.
14. **Highways Transport & Design Manager**  
Highways Comments: The applicant has submitted a proposed site plan, drawing P122A-GSS-SE-XX-DR-A-(00)04 Rev P03, and a Transport Statement (TS) in support of the proposals. As set out in the TS the site would only generate an additional 57 and 56 two-way movements in the AM and PM peak periods respectively when the extant lawful use of the site as a hotel has been considered.  
Once the new traffic generation has been distributed onto the highway network the development trips are quickly dissipated and as a result the proposed development will not cause a material impact on the operation of the surrounding road network.  
The TS also indicates that the existing main access will be utilised for the proposals and that adequate car parking will be provided for all elements of the proposals. A construction traffic management plan, for each phase of development, should be secured by condition. Therefore, taking the above into account, there are no highways objections to the proposal.
15. **Lead Local Flood Authority**

Although the proposed SuDS basin is located within Flood Zone 2 according to the Flood Map for Planning, this type of infrastructure is categorised as water compatible development and is acceptable in this zone. The site specific FRA, using Accepted modelling, demonstrates the basin is not at risk from the 1% AEP + climate change flood level. On this basis, the LLFA considers the SuDS basin to be appropriate and at an acceptable level of flood risk.

16. **Landscape Comments**

An LVIA has been provided which is informative. The summary of landscape and visual effects on receptors is generally acceptable given the methodology provided. The greatest landscape change would be generated by new housing plots in the Parkland land a Major/Moderate adverse impact is identified, which is considered appropriate. The proposed development is outside of the limits to development and as such is poorly related to the existing settlement and represents an incursion into open countryside.

The extent to which the proposals would be likely to conflict with policies dealing with landscape and visual matters and the weight that should be attached to them is a matter for your judgement. I would make the following comments:

The proposed development would be unlikely to comply with Policies SD3, SD4 and SD5.

A landscape strategy has been provided. Should development be deemed acceptable the following landscape information should be provided as part of the application.

Subject to an agreed layout, full details of hard and soft landscape proposals shall be provided prior to any consent being given. Hard landscape details should include all enclosing elements, street furniture and street lighting locations. Details of external finishing materials should include finished levels, and all construction details confirming materials, colours, finishes and fixings. Soft Landscaping details should include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. Details of rabbit protection should be provided. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan.

Details of proposed soft landscape management should be provided. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden. Landscape maintenance shall be detailed for the initial 5-year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years.

17. **Principal Tree and Woodland Officer (in relation to footpath)**

I am providing some comments following our recent site meeting to review the area of trees adjacent to the A 67 between Yarm and Kirklevington at the frontage of Kirklevington Hall, formerly Judges Hotel. The purpose of our meeting was to appraise and assess initial compatibilities of this site towards the installation of a cycle path. Part of the consideration of this proposal was to assess feasibility of this installation within the woodland edge and any impacts it might create. Therefore this allowed us to also review the value, quality and amenity of the trees and the woodland in closer detail.

Currently the trees provide a screen, potential sound and emissions barrier between the main road and the site, which is currently being proposed for development. The woodland is composed of mainly native tree species such as Ash, Beech, Oak and Horse Chestnut amongst other species. It is a natural green corridor between Yarm

and Kirklevington and mirrors a similar group of trees on the immediate opposite side of the road within the Kirklevington Prison site.

The general health and condition of the woodland was seen to be good and the trees were generally in a good condition although it was noted, as is typical with natural woodland, some trees suffering with disease such as Dutch Elm disease and some small incidents of Ash dieback, although this was not majorly significant. As there has not been a great deal of intervention within the tree group over the years, differing species have naturally regenerated towards a natural succession of trees so that a young to mature age class is developing (the younger trees are important to the evolving woodland landscape). The lack of intervention is also positive in increasing environmental and wildlife populations within the woods, where bats, owls and other species will be inhabiting the area.

We noted the width of the woodland area varies between the road to the inner fence, where open field is beyond the inner fenced area. The width varies from being fairly generous in areas to particularly narrow in other areas (of only a few metres). We also noted that the woodland is blocked on one side by residential garden with similar aged trees to the woodland area.

The initial requirement was for an allowance of three metres for the pathway but with construction and edging, possible lighting ducts etc, the clearances required in reality would be up to a 7 or 8 metre requirement. So this would create a minimum clearance of up to 8 metres required along the woodland edge. Whilst at the southern part of the woodland edge there was some small gaps (and differing ground levels) there was soon found to be a number of mature specimen trees (in total around 26) that are consistently lining the length of the area in question, within the first five to six metres of woodland edge, towards the Yarm / Kirklevington roundabout. This is quite a concentrated line of mature trees within a relatively small area. To facilitate the scheme this would equate to a loss of the main woodland edge composed of at least 26 mature tree species, and further successional trees. As the compartment narrows significantly, in some places following tree removals, there would be little to no trees remaining in some areas.

Whilst the physical removal of trees to implement this work would have a big amenity impact, further adjacent mature trees would also be affected due to impacts on their rootplates and therefore even further mature tree losses would be required creating a much thinner line of trees and loss of large areas of the existing woodland. As the trees have developed as a group over many decades, the loss of the outer trees would expose the trees within the woodland to new wind stresses and this in turn is likely to create fragility of the remaining woodland leading to tree and branch failures in high winds, this would create a potentially unsafe landscape in proximity to the new cycle route.

Some of the trees on the woodland edge are at a maturity where they are likely to be over 150 to 200 years old and as such they have become important amenity assets to the area. This was assessed prior to our meeting when a TPO had been placed on the trees in view of the recent planning application for Kirklevington Hall, to recognise the importance of the woodland area and monitor and further regulate the trees if required in the future.

The appearance and quality of the trees in this woodland compartment create the unique aspect and amenity of the wider landscape, which changes from the urbanised area of Yarm suburbs, immediately to a more tranquil and rural aspect on the approach to Kirklevington, the trees being intrinsic to this location.

Therefore it was considered that the implementation of this scheme would have a significant and detrimental impact on this current aspect, both visually and environmentally and the attractive appeal of the area.

Therefore in terms of the feasibility of the scheme it was considered it may significantly affect the current and historic landscape character with significant wider impacts to the woodland as a whole, therefore other options with less impact should be explored

18. **Northumbrian Water Building Control**

In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>. At this time the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. The latest drainage documents submitted show a foul connection from the self-build plots to existing public combined sewer via a pumping station and a connection to the private package treatment works. The applicant should confirm if they intend to use the private package treatment plant or connect into the public sewer.

Please note that the planning permission with the condition is not considered implementable until the condition has been discharged. Only then can an application be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

Further information is available at <https://www.nwl.co.uk/services/developers/>  
For information only: We can inform you that a sewerage rising main and water main cross the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. This is an informative only and does not materially affect the consideration of the planning application.

19. **SBC Environmental Health**

Following my previous comments dated 09/12/2025 based upon noise report revision C, I have since received a response to those comments by Apex acoustics dated 15/01/2026 and following that I have also received noise report revision D. In relation to noise from the marquee, as previous noise reports have demonstrated that noise from the marquee is likely to have a significant impact upon nearby sensitive receptors it is necessary to restrict the use of any marquee to not have music until it is demonstrated via an appropriate noise impact assessment that the level of noise from within the marquee will be suitable. Therefore the condition below is necessary.

- No music will be played within the hereby approved marquee within the walled garden, unless details of non-amplified and amplified music, amplification equipment and sound suppression measures (as appropriate) are first submitted to and approved in writing by the local planning authority. The submission of these details shall be via a noise impact assessment whereby the L<sub>F</sub>Max sound from amplified and non-amplified music and speech shall not exceed the typical minimum L<sub>90</sub>(5min), 1meter from the façade of any sensitive receptor in all third octave bands between 31.5Hz and 8kHz. Any details submitted pursuant to this condition will seek approval of appropriate management regimes, including hours of operation. Should mitigation measures be required these

shall be installed upon agreement with the Local Planning Authority and then retained for the lifetime of the proposal.

In relation to the noise levels to be set for new external plant, revision D states that background noise levels using an LA90 were obtained as detailed in table 4 below, at P2 the representative values are 39dB for daytime and 30dB at night time as an LA90 value.

| Measurement location | Assessment period                 | L <sub>A90</sub> (dB) |
|----------------------|-----------------------------------|-----------------------|
| P1                   | Daytime<br>(07:00 – 23:00 hrs)    | 34                    |
|                      | Night-time<br>(23:00 – 07:00 hrs) | 28                    |
| P2                   | Daytime<br>(07:00 – 23:00 hrs)    | 39                    |
|                      | Night-time<br>(23:00 – 07:00 hrs) | 30                    |
| P3                   | Daytime<br>(07:00 – 23:00 hrs)    | 40                    |
|                      | Night-time<br>(23:00 – 07:00 hrs) | 28                    |

Table 4: Background sound levels representative of the assessment periods

However section 8.7 of the report (below) states that background levels (using Laeq) were between 28dB and 30dB Laeq 15min. An Laeq is a higher value than a background LA90 value and it is unclear how an Laeq value has measured below an LA90 value.

8.7 \* - NOTE: The representative background sound levels for all positions during the night-time period vary between 28 dB and 30 dB Laeq 15-min, which are considered low. As per BS 4142

Environmental Health are still of the opinion that using a rating level of 35dB Laeq overnight is likely to cause an adverse/ significant adverse impact when the background LA90 value is 30dB. Despite this, Environmental Health are of the opinion that with mitigation measures in place such as acoustic enclosures/ screening etc the requirement which has been set can be achieved whereby the background noise level at night is not exceeded. Whilst I have no objection to the principle of the proposal, I do object to the existing proposed rating level values to be achieved and feel that the only way to overcome this objection would be via a further noise impact assessment once plant details are known which do not exceed background noise levels at night, with mitigation measures applied.

- **BS4142 Assessment** :Once full details of plant noise is known a full noise impact assessment of the plant (individually and cumulatively, including noise from hot tubs and mechanical plant) should be undertaken and approved in writing prior to becoming operational whereby the rating level of the plant shall not exceed the background noise levels noted in table 4 overnight (23:00hrs- 07:00hrs) or those in table 4, +5dB for the day time (07:00- 23:00hrs). These levels should be achieved at the façade of existing residential properties and proposed residential properties as part of this development whereby all measurements and assessments shall be made in accordance with the methodology of BS4142: 2014 (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Details of mitigation measures shall be submitted and once approved shall be retained for the lifetime of the proposal.

#### Outline Residential Design

The report demonstrates the outline proposal for residential properties is sufficient in acoustic terms as both external noise levels and internal noise levels can be achieved. It is important to note that external levels are achieved with an acoustic fence and internal noise levels are achieved with windows closed and trickle ventilation. As this application for housing is outline, a full noise impact assessment should be undertaken and submitted once final design and layout is known whereby external and internal

noise levels should again be assessed in accordance with the internal and external criteria assessed within the submitted report.

As ventilation and overheating may need further consideration once the final design is known it is recommended that the following is complied with:

- Acoustic, Ventilation, Overheating Design  
If BS8233 internal noise levels cannot be achieved with openable windows then the developer needs to consider implementing good acoustic design as required within ProPG, <https://www.ioa.org.uk/publications/propg> such as the following:
  - Increase distance away from the noise source
  - Layout/ orientation of properties and amenity areas
  - Internal layout of properties so liveable rooms and main bedrooms are situated furthest away from the noise source.
  - Acoustic Fencing/ mounding

Where the above have been considered and there is still a requirement for windows to be closed to achieve BS8233 internal noise levels an Acoustic, Ventilation and Overheating assessment should be undertaken. The assessments and any required acoustic mitigation measures should be interlinked. An internal assessment should also be made of any noise emitted from mechanical ventilation plant (if required) which when in use should not exceed internal noise levels specified within BS8233, or the following:

- Living Rooms (Day and Night-time) – NR30
- Bedroom (Daytime)- NR30
- Bedrooms (Night-time)- NR25

#### Short Term Holiday Accommodation

Given the sensitive nature of the site and potential implications, it should be conditioned that these are use for holiday let only and not long term occupancy.

A noise management plan shall be submitted and approved in writing in relation to noise associated with the short term holiday accommodation and noise from guests.

Air Quality: I have reviewed the submitted air quality assessment, and should the development be approved then the report and its mitigation measures should be conditioned to prevent construction dust impacting upon sensitive receptors along with a condition to restrict construction/demolition Noise.

#### 20. **SBC Environmental Health: Contaminated Land**

I have checked the Phase 1 Desk Top Study submitted by Sirius (Oct 2024, Ref C10202) and this has identified any significant historical contaminative sources, though there is the potential for asbestos containing materials to be present. A phase II site investigation is proposed to confirm these findings to include heavy metals, PAH's and inorganics as well as asbestos. I would recommend further site investigation is undertaken and a condition is recommended.

#### 21. **The Environment Agency**

We request that the local planning authority lists the Flood Risk Assessment (reference: Kirklevington Hall, titled Flood Risk Assessment and Drainage Strategy, dated November 2025, prepared by Queensberry Design) and the Drawing Reference: QD2277-00-07, titled Woodland Lodges Outline Stage Flood Risk and Access Strategy, dated Dec 2025, prepared Queensberry Design as approved plans and documents, to which the development must adhere

Prior to works commencing, the applicant will be required to obtain a Flood Risk Activity Permit for works within 8m of the main river and the proposed replacement bridge. The relevant informative is provided below. Free permit pre-app advice is

available to the applicant upon request from: [ne\\_epr\\_permit@environment-agency.gov.uk](mailto:ne_epr_permit@environment-agency.gov.uk)

We are able to remove the previous objection for non mains drainage proposed in a sewered area following the submission of further information. We note, Drawing reference QD2277-00-06, titled Foul Drainage Assessment of Public Sewer Connection, dated December 2025, shows connection to the public sewer via a new pumping station. The applicant is to liaise with Northumbrian Water Ltd and agree with the local planning authority on the design and construction of the new drainage scheme.

We also have the following comments to make.

Environmental permit - advice to applicant The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk).

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity. Flood warning and emergency response - advice to LPA We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

Planning practice guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 173 of the NPPF and the guiding principles of the PPG. Signing up for flood warnings The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit Sign up for flood warnings - GOV.UK. It is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings

can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit [Prepare for flooding: Protect yourself from future flooding - GOV.UK](#).

To get help during a flood, visit [What to do before or during a flood - GOV.UK](#). For advice on what do after a flood, visit [What to do after a flood - GOV.UK](#).

## 22. **Tees Valley Combined Authority**

On behalf of the Tees Valley Local Visitor Economy Partnership (LVEP), I am writing to express my support for the hybrid planning application for the redevelopment of the former Judges Hotel (Kirklevington Hall).

The LVEP has a clear mandate to grow the visitor economy across Tees Valley, aligning investment and development with our Destination Management Plan and strategic growth priorities. A consistent challenge we face is the limited provision of high-end accommodation in the region. This scheme (delivering a 5\* boutique hotel with spa, event pavilion, woodland lodges and high-quality ancillary facilities) directly addresses this gap, offering a unique product that will enhance Tees Valley's ability to compete in both leisure and business tourism markets. By providing a facility of this standard, the development will also place Stockton-on-Tees prominently on the map as a destination for high-quality tourism.

The redevelopment will deliver substantial economic benefits. Once operational, independent assessments show it will support over 300 jobs, generate more than £8m GVA annually, and create around 32,000 overnight stays each year. The uplift in visitor expenditure, estimated at £2.1 million per year, will support local businesses, including those in food and drink, retail, cultural attractions, and transport.

This project also supports our ambitions around business tourism. The addition of new event and meeting facilities, alongside high-quality accommodation, will provide much-needed infrastructure to host smaller corporate gatherings and private events. While not designed for large conferences, the development will fill an important gap in the market and provide accommodation for investors and visiting partners to the region, supporting inward investment and strengthening Tees Valley's profile as a place to do business.

The redevelopment also responds to modern visitor trends, including growing demand for domestic short-stay trips and multi-generational breaks. The boutique hotel, spa, and lodges are designed to cater to these preferences, offering a flexible and attractive option for a diverse range of visitors.

Beyond its economic impact, the redevelopment will restore a valued local landmark, returning an important community asset to beneficial use and ensuring the long-term viability of a site which has been vacant since 2023.

For these reasons, I consider the Judges Hotel redevelopment to be a strategically significant project for the Tees Valley visitor economy.

## 23. **Historic Building Officer**

Kirklevington Hall is noted for its open parkland setting and is a non designated Heritage Asset.

Although minor harm has occurred in the 20<sup>th</sup> century through insensitive development, this has not entirely eroded the character. The front elevation still faces mostly onto open grassland, and this positively enhances the setting. The HIA also states that the '*...woodland and open parkland studded with tree clumps ...were carefully designed in the 1880s to provide a picturesque settings that could be enjoyed from the Hall and when travelling through the estate*'. Removal of this open parkland setting through the development of housing plots would negatively erode this component of the Hall's design. The submitted HIA later states that '*...open views*

*across the parkland will be largely maintained*'. I would dispute the finding that the open views would be largely maintained, as views to the front of Kirklevington Hall will be interrupted by the new self-build plots which will significantly and negatively erode the open parkland setting. Although trees will hide some of development, this will only be when mature and in full leaf. The setting and approach to the building was a carefully designed set piece that was meant to impress visitors before they had entered the house, and the change in setting and approach through the development of a housing estate would negatively impact on the significance of the Hall as a whole. It is acknowledged that the newer drive route does affect how the property is viewed on approach, however the significance of the front views and open setting is not negatively impacted by the newer approach road.

The HIA states that the elevations facing the garden and woodland were prioritised, whilst the front elevation 'lacks symmetry and features windows that are more modest and arranged irregularly'. Although the noted elevation differences are important, the lack of symmetry on the front elevation does not indicate a lesser architectural design importance. The purposeful asymmetry and mix of designs fit well within the 19<sup>th</sup> century tradition of purposefully building houses in such ways as to appear to have developed organically from an earlier core, implying a longer built heritage (and thus higher status) on the owner. As such, despite the different treatment of elevations, it is not evidence of lesser hierarchical importance, and views to and from this elevation were still carefully designed to present a clear message about the wealth and status of the owner; consequently, it positively adds to the building's historical and architectural significance.

The works to the main hall are generally considered acceptable, and do not negatively affect the more significant elements of the building. The holiday lodges to the west of the site are considered well shielded by the planting, and subject to any necessary controls to the surrounding trees, could be considered acceptable.

#### 24. **Tees Archaeology (summarised)**

Evaluation trenching would let us determine the need for further mitigation works, targeting areas where more work is needed and negating additional work where no archaeological remains are uncovered. Given that the proposed self-build area is over 4ha; I do not feel that a strip map and record is appropriate as an evaluation strategy and trial trenching should be carried out in the first instance, with any strip map and record undertaken as part of a mitigation strategy if necessary. Whilst I appreciate that the building work is going to be conducted in phases, this is not reflected in the application – most of the works are included within the full application, with only the woodland lodges and self-builds covered by the outline. As a compromise, I suggest conditions, with comments as to that works would be expected to be covered by each condition. It is my professional recommendation that the evaluation works are carried out pre-determination, so this represents a compromise between our two positions. The developer should be made aware that there is some element of risk to this approach. Amendment to the proposed development scheme may be required to protect the archaeology if significant archaeological remains are uncovered during trial trenching.

We agree with the proposed 4% trial trenching of the site alongside the level 2 earthwork survey. Recent trenching at a site further up the road (c.2.5km to the north-east) uncovered a number of archaeological remains that were not identified in the geophysical survey; these features had been masked by a subsoil horizon. It may be the case that archaeological features at this site are also not present on the geophysical survey; a pre-determination evaluation would be the most appropriate way of establishing the presence/absence of archaeological remains across the site. It will

also allow us to characterise any remains and assess their level of preservation and significance (in line with NPPF para 207).

As the proposed housing is for self-build plots, it would be more prudent to carry out archaeological mitigation as a condition on the outline application. This ensures that any archaeological remains are dealt with appropriately and not in a piecemeal manner on individual plots via separate reserved matters applications.

The submitted documentation makes it unclear whether the anti-aircraft operations bunker is proposed to remain on site; some plans show it being demolished while others show it being retained. Clarity on this is required, as is an assessment of the building's condition. It is presently our recommendation that this is not demolished, as it forms an important part of the site's history and it is considered a non-designated heritage asset to the Borough. NPPF paragraph 202 states that heritage assets, including those of local interest, are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations', and paragraph 216 notes that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application'. Therefore, consideration should be given to the repair, retention and reuse of this important local heritage asset which could be reused in imaginative ways to the benefit of the new development (NPPF para 203). Adequate justification would be required for the total loss of this non-designated heritage asset.

There are a number of proposals that will physically affect Hall itself as well as its outbuildings, and it is recommended that building recording is undertaken across site prior to any works being carried out; however, we are willing to condition this work upon the development.

25. **Natural England**

Final Comments to follow. Broadly in agreement with the Appropriate Assessment but needs additional information to be added.

26. **Housing Services Manager**

As the development is self-build an offsite contribution is required.

27. **Place Development Manager**

Comments made within this response relate to the design of the proposal to promote positive outcomes but do not cover the acceptability of the principle of development. Place Development are happy to discuss the nature/detail of these comments. Kirklevington Hall was developed in the 1880's alongside associated stables and whilst not a designated heritage asset the buildings and surrounds can be considered heritage assets owing to their local significance. Alongside internal alterations to Kirklevington Hall a modern extension is proposed in place of an existing conservatory. The proposed extension is four times the footprint of the existing conservatory and in addition a 101m<sup>2</sup> terrace is also proposed complete with glass balustrade. It is noted that a material and architectural styles which have been adopted for the extension have been done so to complement the existing hall whilst distinguishing the extension from the halls historic character. Careful consideration is required in relation to the impact on the significance of the heritage asset through the proposals presented. To the southeast of the hall on the lower garden is a proposed pavilion which utilises a similar palette of materials to the proposed extension to the hall.

Proposed changes to the stables are evident on all elevations alongside internal alterations. Changes include an external terrace to the southern elevation (with larger windows/doors), dormer extensions (southern and eastern elevations) to create office accommodation, and a large window to the western elevation (replacing two existing windows). The alterations to this building are substantial in nature and careful consideration is required in relation to impacts upon the heritage asset.

The Spa building whilst being a two-story development makes use of its landscape setting being rooted in a manner which ensures that from many vantage points it is viewed as a single story which softens the visual impact of this contemporary design. The Spa is separated from the historic hall by woodland which helps further soften any visual impact.

The proposed potting shed offices replace the existing potting shed and whilst a larger footprint than the original building it is modest in scale and utilises appropriate materials which are in keeping with the context. Within the walled garden self-contained lodges are proposed which replace existing staff accommodation. These lodges are of a much larger footprint with rooflines extending over the terraced area to the front of the lodges. Drawing reference P122A-GSS-WG-ZZ-DR-A-(00)10 provides site sections of the walled garden proposals indicating that the roofline of the lodges extends beyond the more modest potting shed and the walls of the walled garden. Opportunities could be considered for reducing the impact of the modern rooflines.

The remaining elements of the application (namely woodland lodges and self-build residential properties) are outline in nature. With reference to the woodland lodges, it is understood that these are to be holiday rental rather than residential properties and whilst placement has been indicated based upon existing woodland clearings their final locations will be determined subject to further review of information including a services strategy. The self-build properties are set within substantial plots and can be described as forming an executive housing style of development being guided by a design code to ensure a high quality, consistent development is achieved through subsequent reserved matters applications. Included within this code are requirements for:

- development not encroaching within minimum distances to the rear and side of plots (10m and 3m respectively)
- building footprint not exceeding 25% of a plot
- specified boundary treatments
- scale, mass and form requirements (including being no higher than 2.5 storeys with a maximum height to eaves of 6.3 metres and ridge of 10 metres)
- further design principles (including building characteristics, materials, architectural details) - whilst not being overly prescriptive these elements provide satisfactory detail to inform what represents a local vernacular style and what will be considered unacceptable. In essence providing for variety/choice whilst maintaining an overall consistent character to the development.

The design code should be conditioned to ensure subsequent applications for individual plots are required to conform with the design code at reserved matters stage. We would question the decision not to establish a required (minimum/maximum) off-set for dwellings from the plot frontage within the design code, this would be useful in helping establish a uniform building line within the proposal; as currently drafted this could lead to very differing approaches within plots to the detriment of the street scene.

It is a positive feature within the design code that uniform boundary treatments are proposed in the form of 5 bar metal estate fencing. Whilst it is acknowledged the design code requires plot owners to provide "soft and hard landscaping plan and planting schedule for approval" and are "encouraged to introduce perimeter hedges during the construction phase", it would be beneficial that a stronger statement be placed within the design code that established hedging offering privacy and security be a requirement of all plots.

The NPPF requires that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments. Whilst it is acknowledged that the outline proposals indicate trees within front gardens this will be very much as consideration for the plot owner and could not be controlled (including tree removal at a later date). Indeed, trees within front gardens would not constitute a tree-lined street as detail within the NPPF. Owing to the executive nature of the development and requirements of the NPPF the applicant is encouraged to incorporate trees within the street. It is acknowledged that a wayleave is present on the western side of the main estate road but there remain opportunities to deliver trees within the street scene.

28. **Northern Gas Networks**

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

29. **Northern Power Grid**

At present, the electricity network in this area has limited capacity to support additional homes without upgrades. However, all applications will be reviewed as we work closely with you to deliver the necessary infrastructure.'

30. **Northern Powergrid(u/g Cables, O/h Lines, Small Substations)**

Thank you for your recent enquiry regarding the above location. The enclosed Mains Records only give the approximate location of known Northern Powergrid apparatus in the area. Great care is therefore needed, and all cables and overhead lines must be assumed to be live. Please note that while all efforts are made to ensure the accuracy of the data provided, no guarantee can be given. We would refer you to the Health Safety Executive's publication HS(G) 47 "Avoiding Danger From Underground Services" which emphasises that The position of any services in or near the proposed work area should be pinpointed as accurately as possible using a detecting device in conjunction with up-to-date service plans and other information which provides a guide to the possible location of services and help interpret the signal.

Excavation work should follow safe digging practices. Once a detecting device has been used to determine position and route, excavation may proceed, with trial holes dug as necessary, to confirm the position of any detected services. A cable is positively located only when it has been safely exposed. Cable depths are not generally indicated on our records and can vary considerably even when shown. Great caution must be exercised at all times when using mechanical plant. Careful trial digging should always be carried out on the whole route of the planned excavation to ascertain no cables exist. The Health Safety Executive publication GS6 "Avoidance of Danger from Overhead Electric Lines" must be consulted if your work is near overhead power lines. Both of these documents provide comprehensive guidance for observance of statutory duties under the Electricity at Work Regulations 1989 and the Health Safety at Work Act 1974. Our provision of these records is based upon the

assumption that people using them will have sufficient competence to interpret the information provided. Any damage or injury caused will be the responsibility of the organisation or individual concerned who will be charged for any repairs. Please note ground cover must not be altered either above or below our cables or below overhead lines. In addition, no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. All our apparatus is legally covered by a wayleave agreement, lease or deed or alternatively provided under the Electricity Act 1989. Should any alteration / diversion of Northern Powergrid's apparatus be necessary to allow your work to be carried out, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton On Tees, TS18 3TU. Tel: 0800 0113433.

31. **National Grid**

There are no National Grid Electricity Transmission assets affected by the proposal.

32. **National Gas Transmission**

Regarding planning application 25/1001/FUL, there are no National Gas Transmission assets in this area.

33. **National Highways**

No objection

34. **Network Rail**

Network rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis. Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but below are some requirements which must be met. It is recognised that only the outline element of the scheme falls within the vicinity of the operational railway. Therefore, much of the detailed information provided is more pertinent to this specific element.

**Drainage:** It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. Please note, further detail on Network Rail requirements relating to drainage and works in proximity to the railway infrastructure is attached for your reference.

**Condition:** We expect a condition regarding the disposal of surface water to be included as part of any consent.

**Boundary Treatments, Landscaping and Lighting**

**Trespass Proof Fencing:** Trespass onto the railway is a criminal offence. It can result in costly delays to rail traffic, damage to the railway infrastructure and in the worst instances, injury and loss of life. Due to the nature of the proposed development we consider that there will be an increased risk of trespass onto the railway.

**Condition:** The developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (approx. 1.8m high) and make provision for its future renewal and maintenance. Network Rail's existing fencing/wall must not be removed or damaged.

**Additional Requirements: Railway Noise Mitigation:** The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should

be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Conclusion :Thank you again for the opportunity to comment on the proposed scheme. We trust that the above will be given due consideration in determining the application and if you have any enquiries in relation to the above, please contact us at [townplanningline@networkrail.co.uk](mailto:townplanningline@networkrail.co.uk).

### 35. **Sport England**

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application. General guidance and advice can however be found on our website:

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning\\_applications](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications)

If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Par. 104 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional housing, then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

### 36. **Cleveland Police**

With regards to your recent hybrid planning application 25/1001/FUL for residential and commercial developments at Kirklevington Hall site.

Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the "Secured by Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

I recommend applicant actively seek Secured by Design accreditation; full information is available within the SBD Residential and Non-Residential Guides 2025 Guide at [www.securedbydesign.com](http://www.securedbydesign.com)

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
  - The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".
  - Stockton-on-Tees Borough Council Local Plan, Policy SD8 includes the following... All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
  - Supplementary Planning Guide, Local Design Guide Section 3.6 and Sustainable Design Guide Section 4.9 also refer to Security & Safety.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured By design initiative can be found on [www.securedbydesign.com](http://www.securedbydesign.com) Although not an SBD requirement, Stockton along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables, and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On- Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist. Should permission be granted I welcome early contact from agent/applicant for any input regarding the above and anything I can offer, advise on, regarding designing out opportunities for crime and disorder to occur throughout all aspects of the proposal.

37. **Chief Fire Officer (Cleveland Fire Brigade)**

Cleveland Fire Brigade offers the following representations regarding the development as proposed.

Access requirements for the proposed spa building would require that 15% of the perimeter of the building is provided adjacent to fire appliance access, this 15% length would require a door for access to the premises. ADB V2 Para 15.1.

Access to the Victorian Stables, Walled Garden Lodges, Hotel, and Spa buildings would need to meet the requirements of the respective guide below (dependent on the use of each premises).

It must be noted that in accordance with Note 1 of each referenced table there are variations to the vehicle weights and dimensions in use at Cleveland Fire Brigade - these variations are detailed below.

\*Approved Document B, Volume 1:2019, Section B5 for Dwellings.

\*Approved Document B Volume 2 :2019, Section B5 for buildings other than Dwellings  
It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in \*AD B Vol 1 Section B5 Table 13.1. \*AD B Vol 2 Section B5 Table 15.2.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in \*AD B Vol 1 Section B5 Table 13.1. \*AD B Vol 2 Section B5 Table 15.2.

Where any new premises are built with a compartment size greater than 280m<sup>2</sup>. They must be built within 100m of an existing fire hydrant, if they do not achieve this and private hydrants installed, they must be within 90m of entry point of each premises and distributed no more than 90m apart around the site in accordance with ADB V2 16.8 - 16.11. Conversely an alternative supply of water could provide in accordance with - ADB V2 16.12 -16.13

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

Further comments may be made through the building regulation consultation process as required.

**38. Durham County Badger Group**

We comment on the ecological report where on page 5 it mentions badger latrines and it was considered of no more than district significance. If you remember there were quite a few badger signs on the boundary when South Green Lane was being developed with an old outlier in a copse, (which is now in a housing estate), and we noted that that particular ecological report had sadly been removed from the portal by 2021. Given the amount of development in the district, and now new development in an area that provides shelter habitat should be of a scale not to further deplete the district flora/fauna, to limit use to quiet activities, limiting evening disturbance and managing the increase in dog walking etc.

**39. Teesmouth Bird Club**

Teesmouth Bird Club ( <https://www.teesmouthbc.com/> ) wishes to object to this application . The basis for the club's objection are relevant to our articles of association. Charitable Trust number 805580. The applicant's ecologist report contains no schedule of breeding birds utilising the site. The date of their report is April 2025. However, before this time there had been site visits to assess the habitats present. There should have been ample opportunity at that juncture to have conducted, at the very least, a species appraisal of UK residents. The later arriving migrants, April onwards, could have been appraised by the process of researching the club's annual reports. The club expects Stockton to ensure that a professional ecological scrutiny of their report takes place by their officers. Further, OS Ecology's recommendations in

Section 6.0 should be a planning requirement in the event of the application's planning approval. The requirement for habitat offsetting should be a key feature of the planning conditions. As there is no opportunity to perform habitat offsetting on site, the loss of grassland habitat should be offset - ideally within the borough or the county.

40. **PADHI Health & Safety Executive**  
Does Not Cross Any Consultation Zones

**Publicity**

41. Neighbours were notified by individual letters and wider publicity has been given via press advert and site notice.

175 letters of general representation have been received stating they would support a safe, continuous walking and cycling route from Kirklevington to Yarm, using land adjacent to Judges This would provide a huge benefit to all residents travelling to schools, yarm or beyond and asked if this could be provided by the developer, This would

- Protect our children traveling to school
- Make pushchair and wheel chair access easier
- Support a healthy option of travel of walking to Yarm/School etc.
- Reduce traffic on the A67 which is already dangerous primarily down to your obsession with ruining Yarm with constant expansion.

13 objections have been received and a summary of the comments received are below

- Site lies outside the Limits to Development and encroaches into protected countryside
- Parkland associated with the historic estate should be preserved
- MOD Heritage - 1949 anti-aircraft command bunker (later converted to agricultural use).
- Site's landscape described as unique and valued in local historical accounts.
- Similar previous applications on the site have been refused and dismissed at appeal on this basis.
- Concern that the site is being transformed into an urbanised entertainment complex surrounded by new housing
- Building works would erode the green buffer between Yarm and Kirklevington.
- Proposed density (self-builds, lodges, parking, hard surfacing) would impact the rural character of the site.
- Concerns over the noise and any amplified music
- Spa and Events building will be dominant and create acoustic reflections
- Dwellings would dominate the Hall and would be out of character
- Concerns over loss of woodland
- NPPF encourages brownfield sites not greenfield
- 5 year supply - How do expensive plots help people onto the housing ladder
- Proposed self-build plots sit on land known to flood during heavy rain and there is a risk that development will prevent natural drainage and increase flood risk to existing properties situated at a lower level.
- Concerns over subsidence
- Woodland forms an important habitat for protected species, and the woodland lodges and infrastructure would disrupt ecology through clearance and increased activity.
- Concerns SUDS discharge and any hot-tub water entering Saltersgill Beck.
- Concerns over the events marquee, spa, increased traffic, and associated noise.

- Impact of noise from woodland lodges and associated vehicle movements near rear gardens
- Development in the woods is a fire risk
- Yarm's road network cannot support cumulative development pressure A67 already gridlocked at peak times; development would worsen congestion.
- A67 is fast, narrow, with blind bends — unsafe for pedestrians and cyclists.
- Need for a dedicated walking and cycling route between Kirklevington and Yarm.
- Concerns over long-term disruption due to staggered self-build construction.
- Views expressed that developer has means to fund hotel without erosion of parkland.
- Fears of a “Trojan Horse” approach enabling further housing once a precedent is set.
- Potential future conversion of woodland lodges to housing once principle of development is established.
- Current bus service supported by a temporary Section 106 agreement; future funding uncertain and could the developer contribute?.
- Will this development Impact on the facilities in the High Street
- Many objectors support the hotel, spa, events venue and restoration works only with the view that these should proceed without enabling housing or woodland lodges.
- If approved, binding conditions/Section 106 obligations should be used to guarantee hotel delivery before residential aspects.

7 letters of support have been received and summarised below

- The refurbished hotel is seen as an asset that would attract business visitors into the Tees Valley area, increasing overnight stays in Yarm.
- Proposed spa facilities are expected to be well-used and valued by residents in and around Yarm.
- The approximately 27 proposed self-build homes will have minimal traffic impact,
- Profit made will support the hotel and spa refurbishment.
- Self-build properties are considered likely to generate local economic activity through the use of local contractors and suppliers.
- The scheme provides facilities not offered by other recent housing developments
- Kirklevington Hall is valued locally for its historic character, and its closure has been regretted by the community.

## Planning Policy Considerations

42. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Stockton on Tees Borough Council Local Plan 2019.
43. Section 143 of the Localism Act came into force on the 15 January 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations.

## National Planning Policy Framework

44. The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.
45. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11) which for decision making means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside; b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets

Paragraph 88. Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Paragraph 135. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 136. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users

Paragraph 216. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 221. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies

## Local Planning Policy

46. The following planning policies are considered to be relevant to the consideration of this application.

### Strategic Development Strategy Policy 1 (SD1) - Presumption in favour of Sustainable Development

1. In accordance with the Government's National Planning Policy Framework (NPPF), when the Council considers development proposals it will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals for sustainable development can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or,
- Specific policies in that Framework indicate that development should be restricted.

### Strategic Development Strategy Policy 3 (SD3) - Housing Strategy

1. The housing requirement of the Borough will be met through the provision of sufficient deliverable sites to ensure the maintenance of a rolling five year supply of deliverable housing land. Should it become apparent that a five year supply of deliverable housing land cannot be identified at any point within the plan period, or delivery is consistently falling below the housing requirement, the Council will work

with landowners, the development industry and relevant stakeholders and take appropriate action in seeking to address any shortfall.

2. The following are priorities for the Council:

- a. Delivering a range and type of housing appropriate to needs and addressing shortfalls in provision; this includes the provision of housing to meet the needs of the ageing population and those with specific needs.
- b. Providing accommodation that is affordable.
- c. Providing opportunities for custom, self-build and small and medium sized house builders.

3. The approach to housing distribution has been developed to promote development in the most sustainable way. This will be achieved through:

a. Supporting the aspiration of delivering housing in the Regenerated River Tees Corridor (as identified on the Policies Map) in close proximity to Stockton Town Centre. Key regeneration sites which provide major opportunities for redevelopment include: Queens Park North, Victoria Estate, Tees Marshalling Yard and Land off Grange Road

b. Supporting residential development on sites within the conurbation as defined by the limits to development which comprises the main settlements of Stockton, Billingham, Thornaby, Ingleby Barwick, Eaglescliffe and Yarm.

c. Creating a Sustainable Urban Extension to West Stockton.

d. Promoting major new residential development at Wynyard leading to the area becoming a sustainable settlement containing general market housing and areas of executive housing in a high-quality environment.

e. Supporting residential development in villages (as shown on the Policies Map) through the recognition of existing commitments and new build within the limits to development where the land is not allocated for another purpose.

4. New dwellings within the countryside will not be supported unless they:

a. Are essential for farming, forestry or the operation of a rural based enterprise; or

b. Represent the optimal viable use of a heritage asset; or

c. Would re-use redundant or disused buildings and lead to an enhancement of the immediate setting; or

d. Are of an exceptional quality or innovative nature of design. Such a design should:

i. be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;

ii. reflect the highest standards in architecture;

iii. significantly enhance its immediate setting; and

iv. be sensitive to the defining characteristics of the local area.

#### Strategic Development Strategy Policy 4 (SD4) - Economic Growth Strategy

1. Economic development needs will be directed to appropriate locations within the Borough to ensure the delivery of sustainable economic growth.

2. Proposals for the redevelopment of previously developed land, in particular prominent

Town Centres

10. Stockton Primary Shopping Frontage will be the main location for new retail development to 2032, whilst the wider town centre will be the main location for new leisure and evening economy uses.

11. Proposals for new town centre uses will be directed to suitable and available sites and premises in the centres within the Town Centres Hierarchy

13. Should any planning application proposals for main town centre uses in edge or out-of-centre locations emerge, such proposals will be determined in accordance with the Sequential and Impact tests set out in Policy EG3 alongside prevailing national planning policy, having regard to the catchment area of the proposal.

## Sustainable Tourism and the Tranquil River Corridor

17. Support will be given to sustainable tourism proposals in the Borough's main town centres, tourist attractions, main parks and country parks, as well as enhancing the River Tees as a leisure, recreation and water sports destination. Out of centre proposals should be clearly related to activity in these areas and be of an appropriate scale, having regard to the intrinsic character of the countryside, in particular the desire to protect and enhance the tranquil River Tees, Leven and Bassleton Beck corridors as represented by the green wedge.

### Employment and Training Opportunities

19. Support will be given to the creation of employment and training opportunities for residents. Major development proposals will demonstrate how opportunities arising from the proposal will be made accessible to the Borough's residents, particularly those in the most deprived areas and priority groups.

## Strategic Development Strategy Policy 5 (SD5) - Natural, Built and Historic Environment

To ensure the conservation and enhancement of the environment alongside meeting the challenge of climate change the Council will:

1. Conserve and enhance the natural, built and historic environment through a variety of methods including:
  - a) Ensuring that development proposals adhere to the sustainable design principles identified within Policy SD8.
  - b) Protecting and enhancing designated sites (including the Teesmouth and Cleveland Coast Special Protection Area and Ramsar) and other existing resources alongside the provision of new resources.
  - c) Protecting and enhancing green infrastructure networks and assets, alongside the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species.
  - d) Enhancing woodlands and supporting the increase of tree cover where appropriate.
  - e) Supporting development of an appropriate scale within the countryside where it does not harm its character and appearance, and provides for sport and recreation or development identified within Policies SD3 and SD4.
  - f) Ensuring any new development within the countryside retains the physical identity and character of individual settlements.
  - g) Directing appropriate new development within the countryside towards existing underused buildings on a site for re-use or conversion in the first instance. Only where it has been demonstrated to the satisfaction of the local planning authority that existing underused buildings would not be appropriate for the intended use should new buildings be considered.
  - h) Supporting the conversion and re-use of buildings in the countryside where it provides development identified within Policies SD3 and SD4, and meets the following criteria:
    - i. The proposed use can largely be accommodated within the existing building, without significant demolition and rebuilding;
    - ii. Any alterations or extensions are limited in scale;
    - iii. The proposed use does not result in the fragmentation and/or severance of an agricultural land holding creating a non-viable agricultural unit; and
    - iv. Any associated outbuildings/structures are of an appropriate design and scale.
  - i) Considering development proposals within green wedges against Policy ENV6.
  - j) Ensuring development proposals are responsive to the landscape, mitigating their visual impact where necessary. Developments will not be permitted where they would lead to unacceptable impacts on the character and distinctiveness of the Borough's landscape unless the benefits of the development clearly outweigh any harm.

Wherever possible, developments should include measures to enhance, restore and create special features of the landscape.

k) Supporting proposals within the Tees Heritage Park which seek to increase access, promote the area as a leisure and recreation destination, improve the natural environment and landscape character, protect and enhance cultural and historic assets, and, promote understanding and community involvement.

l) Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of ground, air, water, light or noise pollution or land instability. Wherever possible proposals should seek to improve ground, air and water quality.

m) Encouraging the reduction, reuse and recycling of waste, and the use of locally sourced materials.

2. Meet the challenge of climate change, flooding and coastal change through a variety of methods including:

a. Directing development in accordance with Policies SD3 and SD4.

b. Delivering an effective and efficient sustainable transport network to deliver genuine alternatives to the private car.

c. Supporting sustainable water management within development proposals.

d. Directing new development towards areas of low flood risk (Flood Zone 1), ensuring flood risk is not increased elsewhere, and working with developers and partners to reduce flood risk.

e. Ensuring development takes into account the risks and opportunities associated with future changes to the climate and are adaptable to changing social, technological and economic conditions such as incorporating suitable and effective climate change adaptation principles.

f. Ensuring development minimises the effects of climate change and encourage new development to meet the highest feasible environmental standards.

g. Supporting and encouraging sensitive energy efficiency improvements to existing buildings.

h. Supporting proposals for renewable and low carbon energy schemes including the generation and supply of decentralised energy.

3. Conserve and enhance the historic environment through a variety of methods including:

a. Celebrating, promoting and enabling access, where appropriate, to the historic environment.

b. Ensuring monitoring of the historic environment is regularly undertaken.

c. Intervening to enhance the historic environment especially where heritage assets are identified as being at risk.

d. Supporting proposals which positively respond to and enhance heritage assets.

e. Recognising the area's industrial heritage, including early history, railway and engineering heritage and the area's World War II contribution.

#### Strategic Development Strategy Policy 6 (SD6) - Transport and Infrastructure Strategy

1. To provide realistic alternatives to the private car, the Council will work with partners to deliver a sustainable transport network. This will be achieved through improvements to the public transport network, routes for pedestrians, cyclists and other users, and to local services, facilities and local amenities.

2. To ensure the road network is safe and there are reliable journey times, the Council will prioritise and deliver targeted improvements at key points on the local road network and work in conjunction with Highways England to deliver improvements at priority strategic locations on the strategic road network.

3. The Council will work with partners to deliver community infrastructure within the neighbourhoods they serve. Priority will be given to the provision of facilities that

contribute towards sustainable communities, in particular the growing populations at Ingleby Barwick, Yarm, Eaglescliffe, Wynyard Sustainable Settlement and West Stockton Sustainable Urban Extension.

4. To ensure residents needs for community infrastructure are met, where the requirement is fully justified and necessary, the Council will support planning applications which:

- a. Provide for the expansion and delivery of education and training facilities.
- b. Provide and improve health facilities.
- c. Provide opportunities to widen the Borough's cultural, sport, recreation and leisure offer.

5. Proposals will be encouraged where they provide for the expansion of communications networks, including telecommunications and high speed broadband; especially where this addresses gaps in coverage.

#### Strategic Development Strategy Policy 7 (SD7) - Infrastructure Delivery and Viability

1. The Council will ensure appropriate infrastructure is delivered when it is required so it can support new development. Where appropriate and through a range of means, the Council will seek to improve any deficiencies in the current level of infrastructure provision. The Council will also work together with other public sector organisations, within and beyond the Borough, to achieve funding for other necessary items of infrastructure.

2. New development will be required to contribute to infrastructure provision to meet the impact of that growth through the use of planning obligations and other means including the Community Infrastructure Levy (CIL). Planning obligations will be sought where:

- a. It is not possible to address unacceptable impacts through the use of a condition; and,
- b. The contributions are:
  - i Necessary to make the development acceptable in planning terms;
  - ii Directly related to the development; and
  - iii Fairly and reasonably related in scale and kind to the development.

3. Where the economic viability of a new development is such that it is not reasonably possible to make payments to fund all or part of the infrastructure required to support it, applicants will need to provide robust evidence of the viability of the proposal to demonstrate this. In these circumstances, the Council may:

- a. Enter negotiations with the applicant over a suitable contribution towards the infrastructure costs of the proposed development, whilst continuing to enable viable and sustainable development; and/or
- b. Consider alternative phasing, through the development period, of any contributions where to do so would sufficiently improve the economic viability of the scheme to enable payment.

#### Strategic Development Strategy Policy 8 (SD8) - Sustainable Design Principles

1. The Council will seek new development to be designed to the highest possible standard, taking into consideration the context of the surrounding area and the need to respond positively to the:

- a. Quality, character and sensitivity of the surrounding public realm, heritage assets, and nearby buildings, in particular at prominent junctions, main roads and town centre gateways;
- b. Landscape character of the area, including the contribution made by existing trees and landscaping;

- c. Need to protect and enhance ecological and green infrastructure networks and assets;
  - d. Need to ensure that new development is appropriately laid out to ensure adequate separation between buildings and an attractive environment;
  - e. Privacy and amenity of all existing and future occupants of land and buildings;
  - f. Existing transport network and the need to provide safe and satisfactory access and parking for all modes of transport;
  - g. Need to reinforce local distinctiveness and provide high quality and inclusive design solutions, and
  - h. Need for all development to be designed inclusively to ensure that buildings and spaces are accessible for all, including people with disabilities.
2. New development should contribute positively to making places better for people. They should be inclusive and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit.
  3. All proposals will be designed with public safety and the desire to reduce crime in mind, incorporating, where appropriate, advice from the Health and Safety Executive, Secured by Design, or any other appropriate design standards.
4. New development will seek provision of adequate waste recycling, storage and collection facilities, which are appropriately sited and designed.
  5. New commercial development will be expected to provide appropriately designed signage and shop fronts.

#### Natural, Built and Historic Environment Policy 1 (ENV1) - Energy Efficiency

1. The Council will encourage all development to minimise the effects of climate change through meeting the highest possible environmental standards during construction and occupation.

The Council will:

- a. Promote zero carbon development and require all development to reduce carbon dioxide emissions by following the steps in the energy hierarchy, in the following sequence:
    - i. Energy reduction through 'smart' heating and lighting, behavioural changes, and use of passive design measures; then,
    - ii. Energy efficiency through better insulation and efficient appliances; then,
    - iii. Renewable energy of heat and electricity from solar, wind, biomass, hydro and geothermal sources; then
    - iv. Low carbon energy including the use of heat pumps, Combined Heat and Power and Combined Cooling Heat and Power systems; then
    - v. Conventional energy.
  - b. Require all major development to demonstrate how they contribute to the greenhouse gas emissions reduction targets set out in Stockton-on-Tees' Climate Change Strategy 2016; and
  - c. Support and encourage sensitive energy efficiency improvements to existing buildings.
2. Proposals are encouraged where development:
- a. Incorporates passive design measures to improve the efficiency of heating, cooling and ventilation; and
  - b. Includes design measures to minimise the reliance on artificial lighting through siting, design, layout and building orientation that maximises sunlight and daylight, passive ventilation and avoids overshadowing.
- Non domestic
4. All new non-residential developments up to and including 499 sq m of gross floor space will be completed to a Building Research Establishment Environmental

Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

5. All new non-residential developments of 500 sq m and above of gross floor space will be required to:

- a. Submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction; and
- b. Be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

#### Natural, Built and Historic Environment Policy 4 (ENV4) - Reducing and Mitigating Flood Risk

1. All new development will be directed towards areas of the lowest flood risk to minimise the risk of flooding from all sources, and will mitigate any such risk through design and implementing sustainable drainage (SuDS) principles.

2. Development on land in Flood Zones 2 or 3 will only be permitted following:

a. The successful completion of the Sequential and Exception Tests (where required); and

b. A site specific flood risk assessment, demonstrating development will be safe over the lifetime of the development, including access and egress, without increasing flood risk elsewhere and where possible reducing flood risk overall.

3. Site specific flood risk assessments will be required in accordance with national policy.

4. All development proposals will be designed to ensure that:

a. Opportunities are taken to mitigate the risk of flooding elsewhere;

b. Foul and surface water flows are separated;

c. Appropriate surface water drainage mitigation measures are incorporated and Sustainable Drainage Systems (SuDS) are prioritised; and

d. SuDS have regard to Tees Valley Authorities Local Standards for Sustainable Drainage (2015) or successor document.

5. Surface water run-off should be managed at source wherever possible and disposed of in the following hierarchy of preference sequence:

a. To an infiltration or soak away system; then,

b. To a watercourse open or closed; then,

c. To a sewer.

6. Disposal to combined sewers should be the last resort once all other methods have been explored.

7. For developments which were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For greenfield developments, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

8. Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:

a. Support reduced run-off rates.

b. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.

9. Sustainable Drainage Systems (SuDS) should be provided on major development (residential development comprising 10 dwellings or more and other equivalent commercial development) unless demonstrated to be inappropriate. The incorporation of SuDS should be integral to the design process and be integrated with green infrastructure. Where SuDS are provided, arrangements must be put in place for their whole life management and maintenance.

10. Through partnership working the Council will work to achieve the goals of the Stockton-on-Tees Local Flood Risk Management Strategy and the Northumbria Catchment Flood Management Plan. This will include the implementation of schemes to reduce the risk of flooding to existing properties and infrastructure. Proposals which seek to mitigate flooding, create natural flood plains or seek to enhance and/or expand flood plains in appropriate locations will be permitted.

11. To reduce the risk of flooding the Council is working in partnership with the Environment Agency to deliver a Flood Alleviation Scheme on Lustrum Beck.

#### Natural, Built and Historic Environment Policy 5 (ENV) - Preserve, Protect and Enhance Ecological Networks, Biodiversity and Geodiversity

1. The Council will protect and enhance the biodiversity and geological resources within the Borough. Development proposals will be supported where they enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation particularly in or adjacent to Biodiversity Opportunity Areas in the River Tees Corridor, Teesmouth and Central Farmland Landscape Areas.

2. The Council will preserve, restore and re-create priority habitats alongside the protection and recovery of priority species.

3. Ecological networks and wildlife corridors will be protected, enhanced and extended. A principal aim will be to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats.

4. Sites designated for nature or geological conservation will be protected and, where appropriate enhanced, taking into account the following hierarchy and considerations:

a. Internationally designated sites - Development that is not directly connected with or necessary to the management of the site, but which is likely to have a significant effect on any internationally designated site, irrespective of its location and when considered both alone and in combination with other plans and projects, will be subject to an Appropriate Assessment. Development requiring Appropriate Assessment will only be allowed where:

i. It can be determined through Appropriate Assessment, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects; or ii. as a last resort, where, in light of negative Appropriate Assessment there are no alternatives and the development is of overriding public interest, appropriate compensatory measures must be secured.

b. Nationally designated sites - Development that is likely to have an adverse effect on a site, including broader impacts on the national network of Sites of Special Scientific Interest (SSSI) and combined effects with other development, will not normally be allowed. Where an adverse effect on the site's notified interest features is likely, a development will only be allowed where:

i. the benefits of the development, at this site, clearly outweigh both any adverse impact on the sites notified interest features, and any broader impacts on the national network of SSSI's;

ii. no reasonable alternatives are available; and

iii. mitigation, or where necessary compensation, is provided for the impact.

c. Locally designated sites: Development that would have an adverse effect on a site(s) will not be permitted unless the benefits of the development clearly outweigh the harm to the conservation interest of the site and no reasonable alternatives are available. All options should be explored for retaining the most valuable parts of the sites interest as part of the development proposal with particular consideration given to conserving irreplaceable features or habitats, and those that cannot readily be recreated within a reasonably short timescale, for example ancient woodland and geological formations. Where development on a site is approved, mitigation or where necessary, compensatory measures, will be required in order to make development acceptable in planning terms.

5. Development proposals should seek to achieve net gains in biodiversity wherever possible. It will be important for biodiversity and geodiversity to be considered at an early stage in the design process so that harm can be avoided and wherever possible enhancement achieved (this will be of particular importance in the redevelopment of previously developed land where areas of biodiversity should be retained and recreated alongside any remediation of any identified contamination). Detrimental impacts of development on biodiversity and geodiversity, whether individual or cumulative should be avoided. Where this is not possible, mitigation and lastly compensation, must be provided as appropriate. The Council will consider the potential for a strategic approach to biodiversity offsetting in conjunction with the Tees Valley Local Nature Partnership and in line with the above hierarchy.

6. When proposing habitat creation it will be important to consider existing habitats and species as well as opportunities identified in the relevant Biodiversity Opportunity Areas. This will assist in ensuring proposals accord with the 'landscape scale' approach and support ecological networks.

7. Existing trees, woodlands and hedgerows which are important to the character and appearance of the local area or are of nature conservation value will be protected wherever possible. Where loss is unavoidable, replacement of appropriate scale and species will be sought on site, where practicable.

#### Natural, Built and Historic Environment Policy 6 (ENV6) - Green Infrastructure, Open Space, Green Wedges and Agricultural Land

1. Through partnership working, the Council will protect and support the enhancement, creation and management of all green infrastructure to improve its quality, value, multi-functionality and accessibility in accordance with the Stockton-on-Tees Green Infrastructure Strategy and Delivery Plan.

2. Where appropriate, development proposals will be required to make contributions towards green infrastructure having regard to standards and guidance provided within the Open Space, Recreation and Landscaping SPD or any successor. Green infrastructure should be integrated, where practicable, into new developments. This includes new hard and soft landscaping, and other types of green infrastructure. Proposals should illustrate how the proposed development will be satisfactorily integrated into the surrounding area in a manner appropriate to the surrounding townscape and landscape setting and enhances the wider green infrastructure network.

#### Natural, Built and Historic Environment Policy 7 (ENV7) - Ground, Air, Water, Noise and Light Pollution

1. All development proposals that may cause groundwater, surface water, air (including odour), noise or light pollution either individually or cumulatively will be required to incorporate measures as appropriate to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and

potential future occupants of land and buildings, the character and appearance of the surrounding area and the environment.

2. Development that may be sensitive to existing or potentially polluting sources will not be sited in proximity to such sources. Potentially polluting development will not be sited near to sensitive developments or areas unless satisfactory mitigation measures can be demonstrated.

3. Where development has the potential to lead to significant pollution either individually or cumulatively, proposals should be accompanied by a full and detailed assessment of the likely impacts. Development will not be permitted when it is considered that unacceptable effects will be imposed on human health, or the environment, taking into account the cumulative effects of other proposed or existing sources of pollution in the vicinity. Development will only be approved where suitable mitigation can be achieved that would bring pollution within acceptable levels.

4. Where future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must demonstrate via site investigation/assessment that:

a. Any issues will be satisfactorily addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact upon human health and the environment; and

b. Demonstrate that development will not cause the site or the surrounding environment to become contaminated and/or unstable.

5. Groundwater and surface water quality will be improved in line with the requirements of the European Water Framework Directive and its associated legislation and the Northumbria River Basin Management Plan. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.

6. To improve the quality of the water environment the Council will:

a. Support ecological improvements along riparian corridors including the retention and creation of river frontage habitats;

b. Avoid net loss of sensitive inter-tidal or sub-tidal habitats and support the creation of new habitats; and

c. Protect natural water bodies from modification, and support the improvement and naturalisation of heavily modified water bodies (including de-culverting and the removal of barriers to fish migration).

#### Housing Policy 4 (H4) - Meeting Housing Needs

1. Sustainable residential communities will be created by requiring developers to provide a mix and balance of good quality housing of appropriate sizes, types and tenures which reflects local needs and demand, having regard to the Strategic Housing Market Assessment, its successor documents or appropriate supporting documents.

3. The Council require 20% of new homes to be affordable on schemes of more than 10 dwellings or with a combined gross floorspace of above 1000sqm.

4. Where an applicant considers that the provision of affordable housing in accordance with the requirements of this policy would make the scheme unviable, they must submit a full detailed viability assessment to demonstrate the maximum level of affordable housing that could be delivered on the site. The applicant will be expected to deliver the maximum level of affordable housing achievable.

5. Affordable housing will normally be provided on-site as part of, and integrated within housing development to help deliver balanced communities. This provision should be distributed across sites in small clusters of dwellings. Off-site affordable housing or a commuted sum will only be acceptable where:

- a. All options for securing on-site provision of affordable housing have been explored and exhausted; or
- b. The proposal is for exclusively executive housing, where off-site provision would have wider sustainability benefits and contribute towards the creation of sustainable, inclusive and mixed communities; or
- c. The proposal involves a conversion of a building which is not able to accommodate units of the size and type required; or
- d. Any other circumstances where off-site provision is more appropriate than on-site provision.

6. Where off-site affordable housing or a commuted sum is considered acceptable, the amount will be equivalent in value to that which would have been viable if the provision was made onsite and calculated with regard to the Affordable Housing Supplementary Planning Document 8 or any successor.

10. To widen the overall housing offer, the Council will support the delivery of custom and selfbuild housing. The Council will:

- a. Regularly monitor the demand for custom and self-build housing and assist in facilitating the delivery of land/sites, where appropriate.
- b. Encourage applicants to consider incorporating plots for custom and self-build housing within larger housing developments.

#### Historic Environment Policy 2 (HE2) - Conserving and Enhancing Stockton's Heritage Assets

1. In order to promote and enhance local distinctiveness, the Council will support proposals which positively respond to and enhance heritage assets.

2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment that describes the significance of the asset(s) affected, including any contribution made by their setting. Appropriate desk-based assessment and, where necessary, field evaluation will also be required where development on a site which includes or has the potential to include heritage assets with archaeological interest. Applicants are required to detail how the proposal has been informed by assessments undertaken.

3. Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy.

5. Where the significance of a heritage asset is lost (wholly or in part) the Council will require developers to record and advance the understanding of the significance of the heritage asset in a manner proportionate to the importance of the asset and impact of the proposal. Recording will be required before development commences.

6. The following are designated heritage assets:

- a. Scheduled Monuments - Castle Hill; St. Thomas a Becket's Church, Grindon; Barwick Medieval Village; Round Hill Castle Mound and Bailey; Larberry Pastures Settlement Site; Newsham Deserted Medieval Village; Stockton Market Cross and Yarm Bridge
- b. Registered Parks and Gardens - Ropner Park and Wynyard Park
- c. Conservation Areas - Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglecliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm

#### d. Listed Buildings

7. The Council has identified assets on a Local List, which are considered as having local

10. Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to policies for designated heritage assets.

11. Where archaeological remains survive, whether designated or not, there will be a presumption in favour of their preservation in-situ. The more significant the remains, the greater the presumption will be in favour of this. The necessity for preservation in-situ will result from desk-based assessment and, where necessary, field evaluation. Where in-situ preservation is not essential or feasible, a programme of archaeological works aimed at achieving preservation by record will be required.

12. Any reports prepared as part of a development scheme will be submitted for inclusion on the Historic Environment Record.

### Transport and Infrastructure Policy 1 (T1) - Transport Infrastructure

#### Delivering A Sustainable Transport Network

1. To support economic growth and provide realistic alternatives to the private car, the Council will work with partners to deliver an accessible and sustainable transport network. This will be achieved through improvements to the public transport network and routes for pedestrians, cyclists and other users.

2. A comprehensive, integrated and efficient public transport network will be delivered by:

- a. Retaining essential infrastructure that will facilitate sustainable passenger movements by bus, rail and water;
- b. Supporting proposals for the provision of infrastructure which will improve the operation, punctuality and reliability of public transport services;
- c. Supporting upgrades to railway stations within the Borough to improve access and safety;
- d. Improving public transport interchanges to allow integration between different modes of transport;
- e. Working with public transport operators to maintain and enhance provision wherever possible;
- f. Working with partners to promote the provision of accessible transport options for persons with reduced mobility; and
- g. Ensuring appropriate provision is made for taxis and coaches.

3. Accessible, convenient, and safe routes for pedestrians, cyclists and other users will be delivered by:

- a. Improving, extending and linking the Borough's strategic and local network of footpaths, bridleways and cycleways; and
- b. Improving the public realm and implementing streetscape improvements to ensure they provide a safe and inviting environment.

#### New Development

10. Existing sustainable transport and public transport infrastructure will be protected from development which would impair its function or attractiveness to users.

11. To assist consideration of transport impacts, improve accessibility and safety for all modes of travel associated with development proposals, the Council will require, as appropriate, a Transport Statement or Transport Assessment and a Travel Plan.

12. The Council and its partners will seek to ensure that all new development, where appropriate, which generate significant movements are located where the need to travel can be minimised, where practical gives priority to pedestrian and cycle movements, provides access to high quality public transport facilities and offers

prospective residents and/or users with genuine sustainable transport options. This will be achieved by seeking to ensure that:

- a. Transport choices are widened and the use of sustainable transport modes are maximised. New developments provide access to existing sustainable and public transport networks and hubs. Where appropriate, networks are extended and new hubs created. When considering how best to serve new developments, measures make best use of capacity on existing bus services before proposing new services and consideration is given to increasing the frequency of existing services or providing feeder services within the main network.
- b. Suitable access is provided for all people, including those with disabilities, to all modes of transport.
- c. Sufficient accessible, and convenient operational and non-operational parking for vehicles and cycles is provided, and where practicable, incorporates facilities for charging plug-in and other ultra-low emission vehicles. Any new or revised parking provision is of sufficient size and of a layout to facilitate it's safe and efficient operation.
- d. Appropriate infrastructure is provided which supports Travel Demand Management to reduce travel by the private car and incentivises the use of sustainable transport options.
- e. New development incorporates safe and secure layouts which minimises conflict between traffic, cyclists or pedestrians.

13. The Council's approach to transport infrastructure provision is set out in Policy SD7.

#### Transport and Infrastructure Policy 2 (TI2) - Community Infrastructure

1. There is a need to ensure that community infrastructure is delivered and protected to meet the needs of the growing population within the Borough. To ensure community infrastructure meets the education, cultural, social, leisure/recreation and health needs of all sections of the local community, the Council will:

- a. Protect, maintain and improve existing community infrastructure where appropriate and practicable;
- b. Work with partners to ensure existing deficiencies are addressed; and
- c. Require the provision of new community infrastructure alongside new development in accordance with Policy SD7.

4. To ensure needs for community infrastructure are met, the Council will:

- a. Support opportunities to widen the cultural, sport, recreation and leisure offer;
- c. Encourage the multi-purpose use of facilities to provide a range of services and facilities within one accessible location;

#### Transport and Infrastructure Policy 3 (TI3) - Communications Infrastructure

7. Developers should demonstrate how proposals for new homes, employment or main town centre uses will contribute to and be compatible with local fibre and internet connectivity.

8. Taking into consideration viability, the Council require developers of new homes, employment or main town centre uses to deliver, as a minimum, on-site infrastructure including open access ducting to industry standards, to enable new premises and homes to be directly served by local fibre and internet connectivity. This on-site infrastructure should be provided from homes and premises to the public highway or other location justified as part of the planning application. Where possible, viable and desirable, the provision of additional ducting will be supported where it allows the expansion of the network.

## Material Planning Considerations

47. The main material consideration in the determination of the application is the principle of development, impact on the character of the hall and wider area, impact on neighbours, highways and flood risk and any other residual matters

### Principle of development for the Hotel Works

48. The application includes a number of elements in relation to the hotel.
49. The full application for Phase 1 works include
- refurbishment and extensions to the hotel and Victorian stables and development of a new covered walkway from the hotel to the Victorian stable building
  - Full Application for the event pavilion;
  - Demolition of the existing staff accommodation in the walled garden to be replaced by eight self-contained lodges and potting shed offices;
  - car parking and associated works
50. Phase 2 works are expected to be delivered approximately five years after the completion of Phase 1 works and bringing the hall into operation
- Full Application for the erection of a new spa;
  - Outline planning permission woodland lodges, and associated infrastructure..
51. The elements above are considered to accord with Strategic Development Strategy Policy 4 (SD4) - Economic Growth Strategy which states *“Support will be given to sustainable tourism proposals in the Borough's main town centres, tourist attractions, main parks and country parks, as well as enhancing the River Tees as a leisure, recreation and water sports destination. Out of centre proposals should be clearly related to activity in these areas and be of an appropriate scale”*
52. In terms of national policy, Paragraph 88 of the National Planning policy Framework seeks to support a strong rural economy that amongst other things supports *“the sustainable growth and expansion of all types of business in rural areas”* and *“enables sustainable tourism and leisure developments which respect the character of the countryside”*, stating that *“local planning authorities should support sustainable rural tourism and leisure developments that benefits rural business ...”*
53. Taking this into account it is considered that in policy terms the principle of this element of the scheme is acceptable.
54. Outline planning permission is also sought for residential development comprising 26 self-build residential plots. The Applicant states these are needed to deliver Phase 1 and bring the hotel back into operation. This element of the scheme will provide approximately 65% of the costs with the remaining 35% being provided from private funds. This is considered further at Paragraphs 64-71.

### Principle of development for the housing development

55. The National Planning Policy Framework (NPPF) sets out the governments objectives for the planning system and in particular those for achieving sustainable development. The three dimensions of sustainable development are economic, social and environmental. The NPPF also includes a number of core planning principles one of which is the need to identify and meet housing needs as well as respond positively to

wider opportunities for growth. Paragraph 61 of the NPPF details the importance the Government attaches to boosting significantly the supply of housing.

56. In terms of local planning policies there are no specific designations which apply to this site other than the site lies outside the limits to development, consequently the site forms part of the open countryside.
57. Policy SD3 seeks to control development within the countryside beyond these limits and is restricted unless it meets certain criteria. The site is also considered to be a non designated heritage asset and Policy HE2 states *“Development proposals should conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance. Where development will lead to harm to or loss of significance of a designated or non-designated heritage asset the proposal will be considered in accordance with Policy SD8, other relevant Development Plan policies and prevailing national planning policy”*.

#### Five Year housing supply

58. The Council cannot demonstrate a 5 year supply and the application will need to be determined in accordance with Paragraph 11 of the NPPF which states *“for decision-taking this means approving development proposals that accord with the development plan without delay; where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date , granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”*.
59. Paragraph 232 of the NPPF states policies should not be considered out of date simply because they were adopted prior to the publication of the Framework and due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, i.e. the closer the policies in the plan to those in the Framework, the greater the weight that may be given. In terms of visual impact, policies to safeguard the countryside are relevant along with the protection of non designated heritage assets and are considered further below. These policies are broadly consistent with the Framework.
60. However, the approach of Policy SD3 in seeking to control the principle of development beyond settlement boundaries is more restrictive than the approach set out in the Framework. The balancing of harm against benefit is a defining characteristic of the Framework’s overall approach embodied in the presumption in favour of sustainable development. Because of this, where Policy SD3 is used to restrict housing, it cannot be seen to be consistent with the Framework and is therefore out of date and the proposal should therefore be assessed using the approach set out in the second bullet point of the decision-taking section of paragraph of the Framework and only if the Council is able to demonstrate harm which “significantly and demonstrably” outweighs the benefits of the development should consent be refused.

### Self Build and Custom Build

61. Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of that Act to have regard to this and to give enough suitable development permissions to meet the identified demand.
62. Paragraph 73 of the NPPF states small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should amongst other requirements ... seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing. Local Plan Policy SD3 also supports this stating it is a priority for the council to provide opportunities for custom, self-build and small and medium sized house builders.

### Sustainability

63. One of the core land-use planning principles, in the National Planning Policy Framework is "*the need for planning to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable*". In terms of proximity to services, the is close to the existing settlement of Yarm to which has a number of facilities. This view was supported in previous appeal decisions.

### Financial Considerations

64. Phase 1 of the development will be funded by a combination of profits from the residential development and private investor funding, whilst Phase 2 will be funded by further private investment funding and from the business itself, with Phase 1 having become fully self-sufficient after year 5 of the operation. Whilst the application is not accompanied by full and detailed costings, the applicant has carried out a RIBA Stage 3 Assessment which gives an overview of costings which are listed below

#### *Phase 1 Development*

*Hotel development cost: £7,439,138*

*Victorian Stables development cost: £2,381,500*

*Walled Garden development cost: £1,281,600*

*Phase 1 Total: £11,102,238*

#### *Phase 2 Development*

*Woodland Lodges development cost: £4,226,400*

*Spa development cost: £12,352,500*

*Phase 2 Total: £16,578,900*

#### *Shared Phase 1 & 2 Costs*

*External works development cost: £2,062,975*

*Contingency (10%): £2,974,411*

*Phase 1 & 2 Shared Costs: £5,037,386*

*Total Project Cost*

*Total development cost: £32,718,524*

65. The business plan sets out that by year 5 of operation, once the hotel facility is fully operational and established, the development will be fully self-funding and able to fund the delivery of the spa facility and woodland lodges,
66. To deliver phase 1 the Applicant states that a number of residential plots should be sold for self-build development to enable the development to proceed. Whilst is not strictly 'enabling development', like that seen for listed building applications, it can be used for commercial ventures where the merits of the scheme can be balanced against the harm. However, it is considered that the basic principles of this approach, are the same;

*The enabling development would not normally be considered acceptable in the absence of the wider benefits which are being 'enabled' by that development*

67. The benefits of the scheme are bringing the hall back into active use. Supporting information states the housing development provides sufficient funding (approximately 70% of the Phase 1 costs) to incentivise private funder investment in the remainder of the Phase 1 development and sufficient funding to 'pump prime' the development to a point where the hotel itself will become self-sufficient

*The enabling development should be the 'minimum necessary' to ensure the works which are being enabled can be completed, without the need to secure further enabling development at a later date*

68. In terms of whether this is the minimum required, despite requests to be provided there are no full and detailed costings. The RIBA stage 3 information submitted gives high level information suitable for a 'normal' planning application but as this includes non-policy compliant development (the housing) more certainty over costs was requested. The applicant states this is sufficient to determine the application. It is therefore not known whether this is the minimum necessary ((or even whether the funding requirements are much higher and what the implications of this will be)) and will it required further enabling works at a later date?
69. Historic England Guidance states "*It is not in the public interest to pursue enabling development if there are alternative means of delivering the same outcome for the heritage asset, such as other sources of public or private investment*" and therefore there should be the opportunity to look at funding from alternative sources such as private investment. The Applicant states that there is part funding being from a private individual, there is some likelihood that an element of bank lending will be involved, but that is only viable at an appropriate loan to value level. The applicants state that without the housing development, the interest rates and loan to value could not support a meaningful restoration of the hotel which achieves the required standard of accommodation. Consequently, it would not provide the level of attraction to the intended clientele and the significant economic and tourism benefits associated with the development could not be fully realised.

*The scheme which is being enabled should have an identifiable end use which, itself, becomes self-funding to cover the costs of future maintenance and upkeep*

70. The end use is the hotel and should it be successful will cover costs. Maintenance and upkeep

*The enabling development should still comply with as many of the development plan policies as possible to minimise the extent of impacts*

71. Full details are considered through the report and whilst there is a clear conflict this will be weighed up in the planning balance when forming a conclusion

#### Visual Implications/Character of the area

72. Kirklevington Hall's estate comprises woodland belts, parkland, formal gardens, and Saltergill Beck, all contributing to its historic rural character. Woodland areas provide strong screening; parkland has been reduced by modern development; the Hall and gardens hold scenic but modest architectural significance. Modern residential properties now influence views and the estate's setting. Nonetheless it is considered that the setting of the main building and the attractiveness is generally based on the landscape immediately surrounding the hall which has remained unchanged since being built in 1881. The statement of significance referred to in the LVIA states "*The parkland around Kirklevington Hall is fundamental to its setting and contributes to its historic and architectural significance*" and previous appeals have recognised this parkland setting.
73. The LVIA identifies various character types across the site, ranging in sensitivity from high to low and the predicted landscape effects vary from major/moderate to minor positive, with the most significant effects occurring within the parkland. Effects on Kirklevington Hall itself and Saltergill Beck are considered to be minor,
74. The report states that the landscape sensitivity to development is judged to be medium, recognising both the heritage value of the estate and the practical need for ongoing investment to maintain its designed features.
75. A landscape strategy accompanies the proposals, aiming to integrate development into the existing parkland, The assessment acknowledges both the mitigation provided through this strategy and the unavoidable visual and landscape effects resulting from the development.
76. The housing takes up a significant proportion of the open Parkland to the east of the Hall. It is considered that this would have an adverse impact on the open parkland setting of the hall and associated grounds. The submitted Landscape Appraisal identifies that the greatest landscape change would be generated by new housing plots in the Parkland land a Major/Moderate adverse impact is identified, which is considered appropriate.
77. As detailed in the LVIA, Major/Moderate means that the proposed scheme would have a very noticeable effect on the landscape and would affect several or many receptors, therefore changing the character of a view.

#### Heritage matters

78. A Heritage impact assessment accompanies the application and has considered the effect of significant on this non designated asset. In summary the alterations to Kirklevington Hall (Rear Elevation) and the internal Alterations (which can be undertaken without planning permission are assessed as having a Minor Adverse Effect on architectural significance. This also applies to the Stable Block Alterations, and the impact of the new developments include spa building, car parks, events pavilion, woodland lodges. The works to the Walled Garden are minor, maintaining overall character and assessed as having a Neutral Effect.

79. In terms of the Executive Housing (North-East Parkland) this introduces a more suburban character into the landscape. The report states that will be in part of the parkland that is less sensitive to change because of the existing developments that have emerged along Kirklevington Hall Drive and screening provided by the trees to the north and east of the Hall. However, the proposed residential development will significantly increase the amount of development within the parkland to the north - east and this will be visible on the approach to the Hall. This will change the character and appearance of the parkland and the sequential views that are possible from the historic gate lodge and drive, from the modern drive to the east and when viewing the site from the A67. This will erode the character of the Hall's overall setting. The impact of this part of the development is only partly mitigated by its low density, the large gardens and the retention of parkland tree clumps and specimen trees. Whilst these aspects of the design will help to visually break up, screen and filter views of the residential development, the openness of the parkland setting will inevitably be eroded, which will have a Moderate Adverse Effect upon the Hall's setting and a Minor Adverse effect upon the Hall's significance
80. The report has been considered by the Council's Historic Buildings Officer (HBO) who acknowledges that minor harm has occurred in the 20<sup>th</sup> century through insensitive development but considers that this has not entirely eroded the character.
81. In general, no concerns are raised regarding the works to the main hall or the holiday lodges to the west of the site which are considered well shielded by the planting, and subject to any necessary controls to the surrounding trees, could be considered acceptable.
82. In terms of the hall the front elevation still faces mostly onto open grassland, and this positively enhances the setting. The HIA also states that the '*...woodland and open parkland studded with tree clumps ...were carefully designed in the 1880s to provide a picturesque setting that could be enjoyed from the Hall and when travelling through the estate*'. In the opinion of the HBO the removal of this open parkland setting would negatively erode this component of the Hall's design. The setting and approach to the building was a carefully designed set piece that was meant to impress visitors before they had entered the house, and the change in setting and approach through the development of a housing estate would negatively impact on the significance of the Hall as a whole. It is acknowledged that the newer drive route does affect how the property is viewed on approach, however the significance of the front views and open setting is not negatively impacted by the newer approach road.
83. Whilst the HIA states that the elevations facing the garden and woodland were prioritised, whilst the front elevation 'lacks symmetry and features windows that are more modest and arranged irregularly', in the opinion of the HBO who notes elevation differences are important, considers that the lack of symmetry on the front elevation does not indicate a lesser architectural design importance and views to and from this elevation were still carefully designed to present a clear message about the wealth and status of the owner; consequently, it positively adds to the building's historical and architectural significance.
84. It is therefore considered that the development of the houses will have a negative impact on the setting of the Hall and erode the important parkland setting, albeit of a non-designated heritage asset.

85. Should the application be approved, Tees Archaeology have requested that as there are a number of proposals that will affect physically affect Hall and outbuildings; building recording is undertaken prior to any works being carried out. This can be conditioned. The former bunker should also be retained which has been conditioned.

#### Archaeology

86. An archaeological desk-based assessment (DBA) and geophysical survey has been undertaken. The reports have been considered by Tees Archology who would prefer trial trenching to be undertaken predetermination. However following negotiations, a compromise has been reached and have recommended a number of conditions, and TA advise this is a risk to the applicant as it may involve amendments to the plans.
87. The Senior Heritage Consultant for the Agent maintains that the previous trial trenching which has taken place within the site verifies the accuracy of the geophysical survey within the site. Both results support the conclusion of the DBA that the significance of any as of yet unknown archaeology within the developable area of the site including any potential remains associated with the site would be low.
88. Therefore, there is strong assurance that no significant archaeology would be encountered during post-determination evaluation which would require changes to the Proposed Development or its layout.
89. Taking both opinions into account and the phased nature of the development, it is considered reasonable to condition further archaeological work and the conditions by TA have been recommended.

#### Noise

90. The applicant has submitted a Noise Impact Assessment and additional information, and clarification has been provided throughout the course of the application. The Environmental Health Team have considered the proposal and there are several elements which can give concerns to noise as detailed below;
91. Marquee ; this is temporary events marquee which would only be acceptable at this moment with a restriction on music. This can be conditioned
92. Spa: Whilst there are some anomalies in the noise report the EHO is of the opinion that with mitigation measures in place such as acoustic enclosures/ screening so that the developments do not background noise level at night is not exceeded. Whilst the EHO objects to the rating level values to be achieved a further noise impact assessment can be submitted once plant details are known to ensure appropriate mitigation measures are applied
93. Lodges: These sites are considered unsuitable for long term occupancy as they will be subject to noise, however the use as “holiday lets only” can be conditioned as the nature of these facilities are subject to noise and potential guests will be aware of the site and the operations. In terms of noise from these residencies a management plan is required and has been conditioned. These conditions have been recommended on other similar sites and are considered reasonable.
94. Self-Build Plots : The report demonstrates the outline proposal for residential properties is sufficient in acoustic terms. To mitigate the noise levels from the traffic on the A67, an

acoustic fence can be implemented and windows closed and trickle ventilation. A full noise impact assessment should be undertaken and submitted once final design and layout is known and ventilation and overheating may need further consideration. The NPPG for noise does not preclude this method of preventing noise stating “*whether any adverse internal effects can be completely removed by closing windows and, in the case of new residential development, if the proposed mitigation relies on windows being kept closed most of the time (and the effect this may have on living conditions). In both cases a suitable alternative means of ventilation is likely to be necessary*”. It is therefore considered that this would not be reason for refusal and future occupiers would be aware of the constraints on the site and would design houses appropriately.

95. Overall, it is considered that noise implications would not be a constraint subject to appropriate conditions which can be recommended.

#### Impacts on Residential Amenity of existing premises

96. There are a number of residential properties within the grounds of the former hall. These premises have existed alongside the hotel use largely without any complaints (according to the records that we hold). In terms of the hotel development the potential impact would be from noise and increase in traffic movements.
97. The greatest noise would be from the use of the marquee and the lodges, both of which can be controlled via conditions and appropriate management controls. It is considered that with these controls and due to the siting and intervening separation distances
98. In terms of the self-build housing the main change would be the loss of the parkland setting and view from the houses. Whilst this is considered to be a significant change, there is no legal right to a view to private individuals, therefore this would not be a reason to refuse the application. The plots can be designed to achieve the separate distances and ensure no overlooking or loss of privacy.
99. The application is accompanied by a design code which sets out a maximum dwelling height of 10 metres and a maximum of 2.5 storeys. Whilst the main hall is approximately 12 metres some of the existing houses are also much lower in height.
100. Nevertheless, the design code seeks to guide appropriate development and it does not mean that in all cases that is an appropriate scale of development, such aspects will be for the consideration at the reserved matters stage based on the individual dwelling proposed for each plot. The eastern portion of the plots are considered more suitable to the 2.5 storey scale, with the remainder of the plots needing to take into account the overall siting, design, topography and existing forms of development.
101. In terms of traffic the road to the self-build housing is from the main access road and it is unlikely that there will be any disturbance from passing vehicular traffic. There maybe an increase in footfall from users of the overnight accommodation, but it is not considered that this would be to such an extent to cause noise and disturbance. Accordingly, the management plan will include methods to limit and control noise from patrons.
102. Overall, it is considered that with appropriate conditions the scheme can be managed and designed to ensure no adverse impact on existing residents.

### Air Quality

103. An Air Quality Assessment accompanies the application as the proposals have the potential to cause air quality impacts as a result of fugitive dust emissions during construction and road traffic exhaust emissions during operation.
104. Potential impacts during the operational phase from traffic exhaust emissions were assessed using detailed dispersion modelling and the results showed that the impacts were not predicted to be significant at any receptor location.
105. In terms of construction, the submission of a Construction Environmental Management Plan for each phase has been conditioned to ensure impacts are minimised.
106. The report was considered by the Environment Health Team who raised no objection submitted to the condition as recommended.

### Highway safety/Transport impacts

107. The applicant has submitted a Transport Statement (TS) in support of the proposals. The TS sets out that the development would generate an additional 57 and 56 two-way movements in the AM and PM peak periods respectively when the extant lawful use of the site as a hotel has been considered.
108. The submitted information has been considered by the Highways Transport and Design Manager who has confirmed that once the new traffic generation has been distributed onto the highway network the development trips are quickly dissipated and as a result the proposed development will not cause a material impact on the operation of the surrounding road network.
109. The scheme also includes adequate car parking for all elements of the proposals.
110. No highways objections to the proposal have been received from the HTDM or National Highways subject to conditions to secure a construction traffic management plan for each phase which has been recommended.

### Provision of a footpath

111. A number of letters have been received stating they support the provision of a footpath between Kirklevington and Yarm
112. The proposal was considered by the Transport Planning and Strategy Manager and Principal Tree and Woodland Officer however it was considered that the implementation of this scheme would have a significant and detrimental impact on this current aspect, both visually and environmentally and the attractive appeal of the area. In terms of the feasibility of the scheme it was considered it would significantly affect the current and historic landscape character with significant wider impacts to the woodland as a whole.
113. The applicant has states that pedestrians can use the access through the hall grounds (not the new houses as this is to be designed as a gated community to separate from the wider hotel facility). This is a private road, and it is within the gift of the applicant to allow access but as it is not essential to make the application acceptable and there

could be impacts on existing residents it is not considered appropriate to secure this via condition although the applicant would be willing to accept a condition to this effect.

### Flood risk

114. The application is accompanied by a Flood Risk Assessment and Drainage Strategy
115. Concerns have been raised that there is a risk that development will prevent natural drainage and increase flood risk to existing properties situated at a lower level, however the submitted Flood Risk Assessment has demonstrated that the proposed development will not increase existing flood risk on or offsite. The proposed development will be served by a sustainable drainage scheme which is designed to accommodate surface water flows for up-to the 1 in 100 year + climate change storm event.
116. No objections have been raised by the Environment Agency, the Lead Local Flood Authority or NWL subject to a number of conditions being applied. These conditions have been recommended.

### Ecology

117. The application is accompanied by a ECIA and associated surveys. The findings are as follows;
118. Bats: Surveys have been undertaken and there are no immediate constraints to the development. It is recommended that additional surveys are undertaken prior to the commencement of Phase 1 works to confirm the continued absence of bats. The site is concluded likely to be of local value to bats, and the report recommended that once the final location of the woodland lodges are confirmed, additional survey work is recommended as part of any reserved matters application.
119. Breeding Birds: Since the submission of the application a further assessment has been undertaken and has confirmed there will be a Loss of breeding species that fall within the habitats to be lost to the proposals and potential disturbance to the Schedule 1 species, barn owl, should works be undertaken during the breeding season. There will also be a potential loss of breeding species within the boundary features and retained habitats as a result of habitat loss and or increased disturbance, loss of open foraging areas utilised by a limited range of species and increased disturbance to retained habitats on site and adjacent as a result of the development. The report includes a number of measures to limit or prevent disturbance which have been secured by condition.
120. Amphibians: eDNA samples taken in 2024 and 2025 returned a negative result and, as such, great crested newts are considered likely absent. No other relevant species were recorded within the ponds. Recommendations have been made and including the avoidance of pond removal which should be protected during works. An amphibian method statement should be provided before works commence on site.
121. No evidence of badgers or Otters have been recorded and there are no further constraints to development. The submitted reports make a number of recommendations which have been conditioned. It is considered that with these recommendations being adhered to there will be no significant impact on ecology.

122. In terms of Biodiversity Net Gain, it is a mandatory requirement to achieve a 10% or greater gain in biodiversity units. A Biodiversity Net Gain (BNG) Assessment Accompanies the application which confirms that the 10% gain objective has not been met and purchase of additional units from an off-site provider is proposed which will meet the requirements. The production of a Habitat Management Maintenance and Management Plan has been conditioned should additional habitat creation and enhancement measures take place on site.

#### Nutrient Neutrality

123. A Shadow Habitat Regulations Assessment (sHRA) and Nutrient Budget Calculator accompanies the application confirming Nutrient Credits are required to mitigate the nutrient budget for the development.
124. These credits have been sourced from a registered third-party provider, at their Nutrient Mitigation Site in the Tees Catchment. This will ensure the development will achieve Nutrient Neutrality.
125. At the time of writing the report, Natural England have confirmed the proposal acceptable in principle, but more information is required to accompany the Appropriate Assessment. This has been submitted and a response is awaited from NE.

#### Contaminated Land

126. A Phase 1 Geoenvironmental appraisal report accompanies the application which has recommended further works. The EHO has considered the report and raised no objections subject to a condition to secure further works and remediation if required

127.

#### Other matters

128. During the course of the applications in and around Yarm it became apparent that there are capacity issues in relation to providing electricity for future homes. Whilst this may affect delivery in the short term, the Council is required to maintain a rolling five-year housing land supply updated annually in line with paragraph 78 of the NPPF.
129. NPG were consulted and do not suggest that the required upgrade works will never come forward, only that the timescale is uncertain. This may affect the delivery of the housing which in turn could affect the delivery of the hotel
130. Comments from Network Rail are noted and conditions recommended.
131. Comments from Cleveland Fire Brigade have been received and whilst objections have been received in relation to fire risk, no concerns have been raised. The comments from the CFB have been passed to the applicant for information.
132. Comments from Cleveland Police and the place Team have been passed to the Applicant for consideration.

## PLANNING BALANCE

133. In considering the development and the overall planning balance, it is recognised that there are clear conflicts with the Councils adopted planning policies.
134. As detailed in the report above, the provision of self build housing also results in harm to the parkland setting of Kirklevington Hall with regards to the landscape character and general setting of the non-designated heritage asset.
135. However, as part of the considerations of the application, the benefits of the scheme which is the delivery of Phase 1 – bringing the hall back into active use, has to be weighed against the harm.
136. There are also associated benefits in relation to phase 2 (the spa and the lodges) of the development in terms of; the extent of capital investment; employment both during and post construction; and associated tourism benefits. These benefits are acknowledged and noted, however, currently phase 2 is not guaranteed to be delivered as it depends on the profitability of the hotel and further investment. The benefits associated with the delivery of phase 2 are subsequently given less weight within the overall balance.
137. The benefits of the scheme from Phase 1 (which is reliant on proposed self build housing) during construction will involve £14.5 million capital investment (total construction cost); 110 direct FTE construction jobs during the 18-month build period; a further 135 indirect FTE supply chain jobs support throughout the build period; and £21.9 million of GVA (economic output) in each year of the build period.
138. Once operational there will be 95 permanent direct FTE operational jobs created; a further 55 indirect and induced jobs supported across the Tees Valley; and uplift in GVA (economic output) of £3.6 million of GVA per annum.
139. The applicant states there will be Tourism Impacts of 15,185 additional visitor nights per annum; £985,000 additional visitor expenditure from overnight visitors; and the spend could create demand in the wider economy for 9.2 FTE jobs across a range of sectors. The comments from the Tees Valley Combined Authority, with regards to the economic benefits and wider tourism benefits across the region are also noted.
140. Whilst the end goal is the Development of a 5 star hotel resort facility, including spa facilities and holiday lodge accommodation, it is important to stress that this is not guaranteed. For transparency, the proposed self-build housing would only contribute towards the delivery of Phase 1 only, which is the hotel refurbishment, which in turn (if successful) will hopefully in future support the delivery on the wider project.
141. Notwithstanding the associated benefits, the harm arising from the proposals would be the development of housing outside of the settlement limits and harm to the parkland setting and the historic hall due to the proposed housing development. Whilst it is not an argument the applicant is pursuing, given the current housing supply position, the delivery of housing and in particularly self and custom build housing weight in favour of the proposals.

## Conclusion

142. In view of the considerations set out within this report, it is recognised that there is conflict with some policies of the current Local Plan and harm will arise from the proposed housing to the landscape character of setting of the non-designed heritage asset.
143. However, the refurbishment and reopening of Kirklevington Hall as a hotel offer, provides social and economic benefits which will support the local economy, tourism and wider tourism offer across the Tees Valley. These associated benefits are considered to outweigh the harm with regards to its overall setting and the terms of the section 106 agreement would look to control the phasing and delivery of the housing.
144. In addition, there remains potential for further growth and improvement in the hotel offer through the works associated with phase 2, though these aspects are not attributed any weight in favour of the proposals at this stage.
145. Given the above application is recommended be Approved Subject to Conditions as detailed in the report.

**Financial Implications:** No cost to the Council. Financial Benefits include contribution to affordable housing.

**Environmental Implications :** The application will lead to short term implications during construction. Any other environmental implications which are detailed in the report can be adequately controlled by condition. There are potential implications from noise too which can be controlled via condition.

**Legal Implications** No known implications

**Community Safety Implications:** The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

**Human Rights Implications:** The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

### Ward and Ward Councillors

Ward Southern Villages  
Ward Councillor Councillor Elsi Hampton

### Background Papers

National Planning Policy Framework  
National Planning Practice Guidance  
Stockton on Tees Local Plan Adopted 2019  
Adopted SPD's  
Application files and Appeal Decisions

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